

COMPLAINT FOR VIOLATION OF CONSTITUTIONALLY PROTECTED RIGHTS,
DEFAMATION, AND FOR DECLARATORY RELIEF

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INTRODUCTION

1. This action is brought by the National Representative of the Most Honorable Elijah Muhammad, the Honorable Minister Louis Farrakhan (hereinafter, “Minister Farrakhan”), and Muhammad’s Holy Temple of Islam, Inc. (hereinafter, “Nation of Islam”) to ensure that he, and those who believe and follow him, and others, do not continue to be deprived of rights secured to them by the United States Constitution.
2. For nearly forty (40) years, the Anti-Defamation League (hereinafter, “ADL”), later joined by the Simon Wiesenthal Center (hereinafter, “SWC”), in violation of the rights and protections guaranteed by the First Amendment to the United States Constitution, have engaged in actions to hinder Minister Farrakhan and the Nation of Islam from continuing the Mission that Allah (God) gave to the Most Honorable Elijah Muhammad.
3. That Mission, accepted by Minister Farrakhan, is to deliver the Truth that will correct the condition of spiritual, mental and moral death of the black man and woman of America that came as a result of the 310 years of chattel slavery and over 150 years of oppression and suppression, thereafter.
4. While the Most Honorable Elijah Muhammad’s Mission started with the black man and woman of America, that Mission has expanded through Minister Farrakhan to the whole of humanity.
5. The rights and protections guaranteed by the United States Constitution must be applied equally to all, regardless to race, creed, class, color, or religion.
6. This lawsuit is to ensure that the abuse, misuse, and false use of the terms “anti-Semite,” “anti-Semitic,” and “antisemitism,” as falsely charged by the Defendants is permanently barred from being a tool to defame Plaintiffs and stifle the exercise of constitutional rights.

7. The actions by the Defendants to hinder Minister Farrakhan from carrying out his assignment and Mission are not just violative of his and the Nation of Islam's rights, but said hinderance is not good for America or for the American people's right to know the truth, so that they can have the opportunity to avoid the Judgment of Allah (God) that is imminent.
8. The Constitution guarantees certain freedoms, including free exercise of religion, freedom of speech, freedom of association, and freedom of expression.
9. These First Amendment freedoms form the core of the rights guaranteed to the people by the Constitution of the United States.
10. The precipitous increase in recent times of social and economic damages caused by the Defendants' violations of Plaintiffs' constitutional rights and repeated malicious defamation warrants this action.
11. Plaintiffs seek to find the Defendants jointly and severally liable in the amount of \$4.8 billion, declaratory relief, attorneys' fees and costs, and any other relief warranted as a result of Defendants' actions.

JURISDICTION

12. This Court has subject matter jurisdiction pursuant to: 1) 28 U.S.C. §1331 because this action presents a federal question for violation of rights under the First Amendment of the United States Constitution, 2) 42 U.S.C. §1983 because Defendants acted under color of state law when they violated Plaintiffs' rights, 3) 28 U.S.C. §1332 because this action involves parties of different States and the amount in controversy is \$4.8 billion, 4) 28 U.S.C. §2202 because declaratory relief is sought and 5) supplemental jurisdiction pursuant to 28 U.S.C. §1367 over the state law claims.

VENUE

13. Venue is proper in the Southern District of New York pursuant to 28 U.S.C §1391(b)(2) and (b)(3) because a substantial part of the events arose in this district and because multiple Defendants reside in this district.

PARTIES

PLAINTIFFS

The Honorable Minister Louis Farrakhan

14. Minister Farrakhan is an individual who currently resides in Chicago, Illinois, and is the National Representative of the Most Honorable Elijah Muhammad.

The Nation of Islam

15. The Nation of Islam, for corporate and legal purposes, is registered as Muhammad's Holy Temple of Islam, Inc., under the not-for-profit corporation laws of the State of Illinois, is headquartered in Chicago, Illinois, and is comprised of registered members who have acknowledged and accepted the Teachings of The Most Honorable Elijah Muhammad, under the Divine guidance of Minister Farrakhan.

DEFENDANTS

Anti-Defamation League

16. Defendant ADL is a non-profit corporation organized under the laws of the District of Columbia, and its principal place of business is 605 3rd Avenue, New York, New York, 10158.

Johnathan Greenblatt

17. Defendant Johnathan Greenblatt (hereinafter, “Defendant Greenblatt”) is the National Director and CEO of the ADL and, upon information and belief, resides in New York, New York.

Simon Wiesenthal Center

18. Defendant SWC is a non-profit organization organized under the laws of the State of California, and its principal place of business is 1399 South Roxbury Drive, Los Angeles, California, 90035, and it has an office at 11 Broadway, Suite 766, New York, New York, 10004.

Abraham Cooper

19. Defendant Abraham Cooper, upon information and belief, is the Associate Dean and Director of Global Social Action Agenda for the SWC and resides in Los Angeles, California.

BACKGROUND

The Founding of the Nation of Islam

20. To understand the context of this case, and to have a better appreciation for Minister Louis Farrakhan and the gravity of his Mission, requires an understanding of the founding of the Nation of Islam and some of the tenets of its belief.

21. One of the foundational beliefs of the Nation of Islam is that the long predicted and awaited Saviour, Allah (God) in the Person of Master Fard Muhammad, came in fulfillment of Exodus 3:7-8 and Genesis 15:13-14 to liberate.
22. He appeared in America among black people in Detroit, Michigan, on July 4, 1930, as America was celebrating the anniversary of its establishment as a nation.
23. Master Fard Muhammad gave a body of knowledge that was designed by Him to correct the near four hundred (400) years of mistreatment and misteaching, emanating from the doctrine of white supremacy, that has ill-affected black people to the point that their condition is styled in the scriptures as being Spiritually “dead.”
24. On September 22, 1931, while in Detroit, Michigan, the Most Honorable Elijah Muhammad attended a religious meeting and met Master Fard Muhammad for the first time.
25. In October of 1931, Master Fard Muhammad began teaching the Most Honorable Elijah Muhammad day and night for three years and four months, and at the end of that process, Master Fard Muhammad anointed His Chief Student as the “Messenger of Allah (God).”
26. The Most Honorable Elijah Muhammad as a Divinely-missioned Teacher, stood up to deliver and establish that truth which would give justice to the black man and woman of America, and give warning to the wicked in America that they should change course from their wickedness, or suffer the consequences of Allah (God)’s wrath and Judgment on America.
27. Master Fard Muhammad taught The Most Honorable Elijah Muhammad that truth of which Jesus prophesied, when he said, “you shall know the truth, and the truth shall make you free.” (John 8:32)

28. A part of that body of knowledge taught by Master Fard Muhammad to the Most Honorable Elijah Muhammad is that 75% of the scriptures of the Bible were prophetic (referring to the future, which is now) and that 25% of the scriptures were historical.
29. The result of applying the Teachings of the Most Honorable Elijah Muhammad is the transformation of the lives of the people that were destroyed due to slavery, and the denial of freedom, justice, and equality.
30. After three years and four months of directly teaching the Most Honorable Elijah Muhammad, Master Fard Muhammad departed, in 1935.
31. After Master Fard Muhammad departed, the Most Honorable Elijah Muhammad continued the Mission given to Him by His Teacher.
32. During the first 44 years of his Mission, The Most Honorable Elijah Muhammad and his followers, were hindered by the U.S. Government, through the Federal Bureau of Investigation (hereinafter, "F.B.I.") and the Defendant ADL. For instance:
 - a. In 1934, in Detroit Michigan, The Most Honorable Elijah Muhammad presented himself for arrest in support of his followers who were arrested and falsely charged by the Michigan State Board of Education with contributing to the delinquency of minors for setting up a school to teach the children of his people.¹ The false charges were eventually dropped, and the teachers were freed;²
 - b. The Most Honorable Elijah Muhammad was arrested by federal authorities on May 8, 1942, in Washington D.C., and questioned for hours on his teachings, on the false charge of not registering for the draft;³

¹ *Message To The Blackman in America*, "What Is Un-American?" Pg. 177

² *Id.*

³ *Id.* at pg. 179

- c. He was subsequently re-arrested on September 20, 1942, charged with sedition, and sent to Federal Prison in Milan, Michigan until 1946. He said, “he was sent to prison for nothing other than to be kept out of the public and from teaching my people the truth during the war between America, Germany and Japan.”⁴ Eighty-two (82) of his followers were also arrested with him. Unknown at that time was the complicit role and activity of the ADL in these arrests through illegal surveillance of The Most Honorable Elijah Muhammad and his followers.
 - d. At the time of the arrest of the Most Honorable Elijah Muhammad in 1942, the F.B.I. also confiscated several documents containing his teachings and doctrines, including: 1) a blackboard containing a drawing of the Wheel (Mother Plane) spoken of in the Book of Ezekiel,⁵ 2) his Teachings on the Wheel and its purpose, and 3) a body of knowledge that He brought to make his people whole again.
33. The goal of the leadership of F.B.I. Director J. Edgar Hoover is best articulated in the following two F.B.I. memorandums: 1) on August 25, 1967, Director Hoover wrote: “The purpose of this new counterintelligence endeavor is to expose, disrupt, misdirect, discredit, or otherwise neutralize the activities of black nationalist, hate-type organizations and groupings, their leadership, spokesmen, membership, and supporters....”, (Exhibit A) and, 2) on March 4, 1968, he wrote, the F.B.I. should do all it could to “Prevent the rise of a ‘messiah’ who could unify and electrify, the militant black nationalist movement.” (Exhibit A-1)
34. The Most Honorable Elijah Muhammad, throughout the first 44 years of His Mission, was falsely labeled as a “hate teacher” and his followers in the Nation of Islam as a “cult.”

⁴ *Id* at pg. 221

⁵ Holy Bible Ezekiel: Chapter 1: 15-21

35. In February of 1954, during His Saviour's Day address, the Most Honorable Elijah Muhammad publicly petitioned Allah (God) to send him "a little helper."
36. The following year, in 1955, Minister Farrakhan accepted the teachings of The Most Honorable Elijah Muhammad and joined the Nation of Islam.
37. Minister Farrakhan began helping the Most Honorable Elijah Muhammad with his Mission and eventually became His National Representative.
38. The Most Honorable Elijah Muhammad departed on February 25, 1975, in fulfillment of another aspect of His Mission although his enemies believed they had killed Him, but as the Holy Quran reveals, "...and they did not kill him for certain." (Holy Qur'an 4:157)
39. Before the Most Honorable Elijah Muhammad departed, he commissioned and anointed His chief helper and best student, Minister Farrakhan, to continue His Mission and make His Great Commission known.
40. Upon His departure, however, on February 25, 1975, new leadership arose that changed the belief system and the direction of the Nation of Islam, and disregarded His July 30, 1972, public command to the members of the Nation of Islam to hear, obey, and follow Minister Farrakhan.
41. When the new leadership took that course of action, the Nation of Islam fell from the lofty heights the Most Honorable Elijah Muhammad had taken it to and it became completely destroyed.
42. In September of 1977, Minister Farrakhan, decided to reestablish the Teachings of the Most Honorable Elijah Muhammad and to rebuild the Nation of Islam.
43. On February 21, 1981, at the Auditorium Theatre in Chicago, Minister Farrakhan declared publicly that the Most Honorable Elijah Muhammad is physically alive.

44. Not long thereafter, Minister Farrakhan found himself embroiled in a controversy with some members of the Jewish community.

ORIGIN OF THE FALSE CHARGE OF ANTISEMITISM AGAINST MINISTER FARRAKHAN

45. On August 27, 1983, Minister Farrakhan spoke at the 20th Anniversary of the 1963 March on Washington.
46. Although he spoke for only six minutes, his message was praised by organizers and participants as perhaps the most significant and stirring message of the day.
47. The September 3, 1983, headline in *The Washington Post* read, “Speech by Black Muslim Leader Hailed as Best at March on Washington.”
48. It was at this event that the Reverend Jesse Jackson (hereinafter, “Reverend Jackson”) informed Minister Farrakhan that he would be seeking the 1984 Presidential nomination, and he asked Minister Farrakhan for his support.
49. Minister Farrakhan indicated he would give Reverend Jackson an answer after he consulted with the board of the Nation of Islam.
50. Minister Farrakhan returned to Chicago, met with the board, and it was agreed that he, and the membership of the Nation of Islam, would support the 1984 presidential candidacy of Reverend Jackson.
51. During his presidential campaign, Reverend Jackson, among other things, advocated for a fair and balanced foreign policy regarding the State of Israel and the Palestinian people.
52. That justified and reasonable call for equity and fairness in the treatment of the Palestinian people’s suffering unleashed a torrent of outrage by the ADL against Reverend Jackson.

53. A group calling themselves “Jews Against Jackson” published an attack ad against Reverend Jackson, in *The New York Times*, on November 11, 1983, under the headline, “Do you believe that any Jew should support this man? Should any decent American?” (Exhibit B)
54. After stating, “[w]e believe that Jesse Jackson is a danger to American Jews, to the State of Israel, and to America,” the attack ad ended by stating, “Jesse Jackson is no good for Jews, for Israel or for America. Stop him. Ruin Jesse now!” *Id.*
55. Immediately after that ad ran, hundreds of threats against the life of Reverend Jackson and his family were recorded and several arrests were made. (Exhibit “C”)
56. In addition, the remains of mutilated animals were left at his home and campaign headquarters in two cities were bombed. (Exhibit “D”)
57. Reverend Jackson did not have Secret Service protection at the time; so, Minister Farrakhan provided Reverend Jackson and his family with around-the-clock security from the Fruit of Islam, the name given to the training of men who belong to Islam in North America under the Teachings of the Most Honorable Elijah Muhammad.
58. Soon thereafter, Minister Farrakhan became the focal point of the ADL’s diatribes and verbal attacks.
59. Minister Farrakhan never called for the extermination of Jews, and never physically or verbally attacked any Jewish person, but he sparked the ire of the ADL because he dared to defend Reverend Jackson and his family whose safety and well-being were literally being threatened by, upon information or belief, members of the ADL. (Exhibit C)
60. On February 25, 1984, Minister Farrakhan held a rally in support of Reverend Jackson where he made an appeal to the group called “JEWS AGAINST JACKSON” to stop the

violence and threats against Reverend Jackson's life, and asked for dialogue. He stated in pertinent part:

I'm saying to the Jewish people who may not like our brother, it is not Jesse Jackson that you are attacking... When you attack him, you attack the millions that are lining up with him. You're attacking all of us... We cannot define our self interest in terms of your self-interest. And because our self-interests differ because we've come of age, why dislike us? Why attack our champion? Why hurl stones at him?... I say to you as intelligent people, sit down and talk with Reverend Jackson. Sit down Jewish leaders and talk with us. We are ready to talk with you. Sit down and talk like intelligent people who have a future at stake.... (Exhibit "E")

61. Two days later, on or about February 27, 1984, after Minister Farrakhan's sincere request for dialogue with Jewish leaders, the temperature of the torrents ratcheted up against him when Nathan Perlmutter, the then-National Director of the ADL, called Minister Farrakhan a "Black Hitler," irrespective of the fact that Minister Farrakhan has never harmed a hair on the head of any Jewish person or even advocated for such.
62. Also, on that same day on a radio call-in show, Nat Hentoff, a Jewish columnist for *The Village Voice*, repeating the ADL's sentiment, called Minister Farrakhan a "Black Hitler."
63. From that moment forward, the battle of Biblical proportions was on and raging between the antagonist, the ADL, and the protagonist, Minister Farrakhan.
64. It is because of Minister Farrakhan's unwavering defense of himself and Reverend Jackson that the ADL began plastering him with the false and injurious label of "anti-Semite."
65. On or about June 25, 1984, Minister Farrakhan delivered a message from the Final Call Administration Building, in Chicago, Illinois, addressing, in part, the creation of the State of Israel, and its existing turmoil in the Middle East, wherein he said:

Now, that nation called Israel never has had any peace in forty years and she will never have any peace because there can be no peace structured on injustice, thievery,

lying, and deceit, and using the name of God to shield your dirty religion under His holy and righteous name.

America, and England, and the nations, because of their backing of Israel are being drawn into the heat of the Third World War, which is called “Armageddon.” Oh America, you have blundered so, and instead of recognizing the mistake you have made and make a turn for the better, you persist in your evil. And so, the consequences of evil must come.

66. The reference to “dirty religion” had absolutely nothing to do with the religion of Judaism, which Minister Farrakhan has stated on countless occasions, but had everything to do with sacrilegious people who use the good name of either Islam, Christianity, or Judaism as a shield for their dirty practices that do not comport with the Divine laws found in the sacred scriptures of the Holy Qur’an, the New Testament, or the Torah.
67. At no point during that lecture did Minister Farrakhan ever say, “Judaism is a gutter religion” or “Judaism is a dirty religion.”
68. Thereafter, however, the ADL, and their cohorts, added the word “Judaism” and “gutter” in front of the word “religion” to foster their false and deplorable narrative that Minister Farrakhan made such a statement.
69. The Defendant ADL has continued to falsely and maliciously accused Minister Farrakhan of making that statement.
70. On or about June 29, 1984, to address the false claim that he said, “Judaism is a gutter religion,” Minister Farrakhan gave a television interview on *The Sandy Freeman Show*, wherein he said, in response to that false charge:

I could never make a statement like that and be a Muslim. All Muslims believe in God, believe in Moses, believe in the Torah, believe in the Injil (New Testament) brought by Jesus, and believe in the Qur’an brought by Muhammad. How could I, in good, sound mind, condemn Judaism? But what I’m condemning is wicked practices using religion as a cover. The same thing was done with Christianity and the same thing is done by some Muslims.

71. During that same interview, Ms. Freeman read a Senate Resolution, with a vote of 95-0, that U.S. Senate passed during her show, condemning Minister Farrakhan based on the false allegations he said that Judaism was a “gutter religion” and that the creation of Israel was an outlaw act, to which he responded:

I don't care two cents for the United States Senate's repudiation. I warn the Senate, and I warn the government, and I warn the president that America is headed down the drain. You better listen to this little black slave coming up from among you. My voice is the voice of God in your midst, and you are doing to me just what you did to all the prophets, and those prophetic voices that rose up before me.

You condemned Jesus, and the Roman Senate, repudiated him. But today, you worship Him. What will you do for me tomorrow?... Tomorrow, go out on the streets and talk to the little man in the streets and see what they say about the Senate's repudiation of Louis Farrakhan. It's not worth the paper that it's printed on. Black people will not respond as you think they will respond.

72. On July 30, 1984, the Honorable Minister Louis Farrakhan held a press conference at *The National Press Club*, in Washington, D.C., to respond to the false charges made by the Defendant ADL, and other Jewish groups, wherein he said, in part:

The president and the Senate has said, “there is no room in this society for hate and no place for the haters.” We, the victims of America's hatred and bigotry, are now being charged with her crime. What I represent is truth, and America is saying to Farrakhan what it is written, that the Jews said to Jesus when they rejected him; and Jesus responded, “you cannot understand my words because my words have no place in you.”

The Jews in that day wanted no truth to be told if it conflicted with their selfish desires. They did not care for the truth. They only wanted to hear that which made them comfortable in their web of lies and deceit.

What crime have I committed that warrants the censure and repudiation of the entire government, religious, and civic leadership? ...I have been a doer of good for black people for three decades, doing a duty of civilizing and reforming black people; a duty which America failed to do. For which of the good works that I do in the name of my Father, The Honorable Elijah Muhammad, that you stone or repudiate me?

73. Minister Farrakhan has for decades vociferously opposed the Defendant ADL's repeating the false and indefensible statement that “Judaism is a gutter religion.”

74. One of the most egregious and audacious frontal assaults from the ADL, by way of the Jewish Defense League, a then-branch of the ADL, was their appearance at a lecture by Minister Farrakhan in Los Angeles, California, on September 14, 1985, when they paraded outside the entrance to the Los Angeles Forum chanting, “Who do you want? Farrakhan. How do you want him? Dead!”
75. Minister Farrakhan knew the miscreants who were calling for his death did not represent all Jewish people, and not once did he direct anyone to harm those members of the ADL who were calling for his death.
76. Even though people associated with the Defendant ADL were calling for his death, that did not stop Minister Farrakhan from seeking a dialogue with those who hated him.

MINISTER FARRAKHAN’S NUMEROUS EFFORTS TO DIALOGUE WITH HIS FALSE ACCUSERS

77. At the same lecture, on September 14, 1985, at the Los Angeles Forum, in a lecture entitled “Power at Last Forever,” Minister Farrakhan stated that the true reason for the opposition against him and the Nation of Islam is a problem of a theological viewpoint based on his assertion that black people are the real children of Israel.
78. Therein, he said:

I am declaring to the world that you, the black people of America and the Western Hemisphere, are the lost, the rejected, the despised, the prodigal son, the lost sheep, the God’s people. You are the people of God. Now, this is not a problem of antisemitism. This is a problem of theological viewpoint... So, the best thing you can do is tell the people I’m a hater, I’m a bigot, I’m an anti-Semite?... I just challenged the Jewish scholars. Show me the history of your suffering in Egypt for 400 years. I know you can’t show it to me, that’s all I’m saying; it’s not violence, it’s not antisemitism, it’s a theological argument.
79. It is this theological divergence that has prompted the vociferous attacks against Minister Farrakhan from the Defendants.

80. Minister Farrakhan has repeatedly sought to dialogue with members of the Jewish community to attempt to clear up matters that have been made murky by certain misrepresentations of the truth.
81. In addition to the instances noted in previous paragraphs, Minister Farrakhan has made the following attempts to meet and dialogue with members of the Jewish community:
- a. In early 1994, responding to the call of Allah (God), Minister Farrakhan called for a million men to come to Washington, D.C. on October 16, 1995, and nearly two million men were in attendance at the Million Man March. At the march, Minister Farrakhan called for dialogue with the Jewish leaders, to which they rejected, including Abraham Foxman, former Executive Director of the ADL. (Exhibits “F” and “F-1”)
 - b. On June 24, 2010, Minister Farrakhan sent a formal written communication to Abraham Foxman and to the 12 presidents of major Jewish organizations. The letter contained copies of the Nation of Islam Research Department’s books, entitled, *The Secret Relationship Blacks and Jews*, Volumes 1 and 2. The letter asked for dialogue with them and pointed out their ability to help him in the Mission he was given that was never accepted. (Exhibit “G”)
 - c. During an interview with Dr. Michael Eric Dyson, on August 10, 2010, Minister Farrakhan called for a dialogue with the Jewish community, wherein he said:

I’ve been trying to have a dialogue with them for many years. But the dialogue has to be an informed dialogue based on an accurate account of history... I’m not interested in anybody hating Jewish people, or punishing Jewish people. What I am asking, though, is that a serious dialogue take place between them and us.
82. This sincere dialogue has yet to happen.

ANTI-DEFAMATION LEAGUE (ADL)

83. The ADL purports to be a civil rights organization.
84. Its actions, however, demonstrate that it is an unamerican organization and has woven itself into the fabric of both the United States government, in general, and into local governments within America, in particular, to advance interests that are unamerican to the extent that it tramples and trammels upon the Constitutional rights of Minister Farrakhan and American citizens.
85. The ADL has proven to be the chief proponent of the false labeling of certain persons as being “anti-Semitic.”
86. As early as the 1940s, the Nation of Islam, and its eternal leader, the Most Honorable Elijah Muhammad, were the targets of the ADL’s unconstitutional and unwarranted attempts to destabilize and neutralize the Nation of Islam and its leadership.
87. A secret 1942 Anti-Defamation League of B’nai B’rith memo entitled, “Temple of Islam Infiltration,” states that a “Negro employed by us” proved “quite instrumental” in an F.B.I. raid on the Temple of Islam for alleged pro-Japanese activities, which resulted in the unlawful arrest of 82 members of the Nation of Islam. (Exhibit H)
88. Based upon this secret file, the ADL paid an agent to infiltrate the ranks of the Nation of Islam, and then manufactured false evidence that resulted in the arrest of dozens of its peaceful and law-abiding members.
89. Based upon this history, as early as 1942, Defendant ADL has performed the function of investigating and gathering information on behalf of the F.B.I.
90. In addition, in a January 17, 1968, memorandum from the F.B.I. Director, J. Edgar Hoover ordered each of the F.B.I. field offices to establish formal relationships with the ADL,

wherein governmental functions will be shared between the two, including espionage and sharing of other protected activity of private persons with the government. (Exhibit I)

91. In that order, the F.B.I. Director also acknowledged that some liaison with the ADL had already been established by some F.B.I. field offices.

Specifically, he wrote:

As you know, this organization, like the bureau, is opposed to groups and individuals espousing bigotry, prejudice, and extremism. It seeks to bring the true facts concerning such groups and individuals to light. In the furtherance of these worthy objectives, the antidefamation league receives considerable information of interest to this bureau and has been very cooperative in the past in referring such data to us.

You are to immediately make certain that you have established liaison with the head of the antidefamation league regional office in your territory and explain the jurisdiction and interest of this bureau. For your information, there is attached a list of antidefamation league regional offices.” (Exhibit “I”)

92. Recent directors of the F.B.I. have further acknowledged Defendant ADL’s continued intimate involvement in governmental investigative functions.
93. For instance, on May 8, 2017, in a speech he delivered to Defendant ADL, entitled, “The F.B.I. and the ADL: Working Together to Fight Hate,” James Comey, former director of the F.B.I., while he was still serving as director said that the F.B.I. was not only working with the ADL, but in a cringeworthy way, said that the F.B.I., was “in love” with the ADL.
94. Specifically, he said:

I first met with you in the spring of 2014, when I was relatively new on the job—just seven months in. I sang your praises as an organization that fights for inclusivity and diversity, equality and justice. An organization that works with us to fight hate crime and terrorism, to educate law enforcement, and to build bridges with underrepresented communities. I labeled that last speech, “A Love Letter to the ADL.” Three years later I can say, from the perspective of the F.B.I., we’re still in love with you. (Exhibit “I-1”)

95. Current director, Tim Wray, reaffirmed this same theme of the F.B.I.'s continual, and apparently intimate, relationship with, and reliance upon, Defendant ADL, in some remarks he made on November 10, 2022, when he said to the Defendant ADL:

And I want to thank the ADL today for your support in conducting the training that all of our new special agents and intelligence analysts participate in, at the U.S. Holocaust Memorial Museum. Because of your work, our new agents and analysts confront the reality of just how widespread antisemitism, and the willingness to turn hate to action, really are. (Exhibit "I-2")

96. This public pronouncement by the director of the F.B.I. establishes a direct link and a "nexus" between the F.B.I., a branch of the Justice Department of the U.S. government, and the Defendant ADL.
97. Not only did the director of the F.B.I. incontrovertibly establish a direct link and symbiotic relationship between the F.B.I. and Defendant ADL, but he went on to acknowledge how Defendant ADL performs the public function of "training...all...new special agents and intelligence agents."
98. The F.B.I.'s dependence on Defendant ADL more than sufficiently establishes a deliberate and celebrated nexus between the two.
99. Additionally, the direct link between the F.B.I. and Defendant ADL, and the relinquishing and/or sharing of an aspect of its public function of training its "new special agents and intelligence analysts," creates such a "nexus" between the F.B.I. as a governmental agency and Defendant ADL as a private party such that Defendant ADL's actions are unconstitutional.
100. The activities of Defendant ADL are so intermingled and intertwined with those of the F.B.I., and various local and state police departments, that it literally functions as a

governmental actor that can be held liable for violating a person's constitutionally protected rights.

101. In 1993, the San Francisco Police Department discovered that the ADL, acting under the color of federal and state law, illegally spied on at least 15 civil rights groups and individuals.

102. The scope, depth, and breadth of the illegal and unconstitutional surveillance activities of the ADL is described by author Jabeer Abara, in his 1993 article in *Covert Action Quarterly* 45, entitled, "The Anti-Defamation League: Civil Rights and Wrongs," wherein he stated:

For decades, the Anti-Defamation League of the B'nai B'rith has run a private nationwide spy network - a systematic, long-term, professionally organized political espionage operation complete with informers, infiltrators, money laundering, code names, wiretapping, and secret meetings. While it is not unusual for private political groups to gather information, ADL spying is different. It is not only the scale which sets it apart - files on 950 organizations and nearly 10,000 individuals -but the focus. The ADL spied on groups which opposed its stated goals as well as those which supported its principles. More disturbing, however, is the League's collaboration with state, federal, and foreign intelligence gathering entities. This sharing of often confidential information and resources is not only illegal, but a violation of trust, a threat to civil liberties, and an infringement on the right to privacy. (Exhibit "J")

103. On October 24, 1993, *The New York Times* published an article about this occurrence entitled, "Anti-Defamation League Accused of Spying." (Exhibit "K")

104. In August of 2020, a coalition of progressive groups with approximately 195 signatories, published a primer entitled, "THE ADL IS NOT AN ALLY."

105. Its aim was to warn groups about the deception of the ADL, and their unconstitutional surveillance activities and their extensive law enforcement and intelligence relationships being used to spy on Americans.

106. The Primer stated, in part:

The Anti-Defamation League (ADL) has branded itself as a civil rights organization in ways that conceal and legitimize its right-wing activities undermining the right of Black, immigrant, queer, Muslim, Arab, and other marginalized communities. Many progressive individuals and organizations partner with the ADL not knowing its ongoing legacy of supporting racist policing, surveillance, colonialism, and the silencing of social justice activism. Misinformation about the ADL's work, and its credibility in progressive circles, are what allow the ADL to continue harming social justice movements. The following primer was compiled by organizations across the US working in coalition for freedom, justice and equality.... Many conflicts between the ADL and our movement are not covered in this primer. Community efforts to resist the ADL are also not covered here.....visit DropTheADL.org. (Exhibit "L, L-1, L-2")

107. This pattern and history of the ADL's nearly 83 years of illegal surveillance and data gathering on groups and persons, in joint action with state and federal law enforcement agencies, to be used for targeting groups whose views or policies the ADL disagrees with, is at the most egregious levels of the violation of constitutional rights, as secured by the U.S. Constitution and the Bill of Rights.⁶

108. Upon information and belief, the joint action between the ADL and the F.B.I. continues in illegal surveillance and monitoring of Minister Farrakhan and the Nation of Islam, up to this very day.

109. The Defendant ADL's obsession with defaming Minister Farrakhan and violating his constitutional rights concretized in the 1990s when it unleashed reports on him continuing to falsely label him an "anti-Semite," and espousing antisemitism, such as the following:

- a. In a 1990 ADL Report entitled, "The Campaign to Manipulate Public Opinion: A Study in the Packaging of Bigotry." (Exhibit "M");

⁶ See, *Quigley v. Rosenthal*, 327 F.3d 1044 (2003).

- b. In a 1992 ADL Report entitled, “The Anti-Semitism of Black Demagogues and Extremists,” the ADL defamed Minister Farrakhan when it falsely referred to him as, “anti-Semitic and racist[.]” (Exhibit “N”);
 - c. In the same 1992 report, Defendant ADL went on to state, “He is the most popular speaker on campus among black students. In his public appearances, Farrakhan continues to repeatedly inject anti-Semitism into his remarks, while paradoxically attempting to rationalize and explain away earlier anti-Jewish statements.” *Id.*
110. Upon information and belief, Defendant ADL immediately went to work to hinder Minister Farrakhan’s ability to freely speak, particularly on black college campuses, by threatening the colleges and universities with repercussions if he was allowed to speak on its campus, unnecessarily scrutinizing the use of funding for his visit by the school organization or group that invited him to speak, fostering the imposition of additional fees for the same organization or group, as well as establishing other onerous requirements.
111. In support of that perspective, in a 1994 ADL Report entitled, “Mainstreaming Anti-Semitism: The Legitimation of Louis Farrakhan,” the ADL openly and brazenly acknowledged how it would take whatever steps it deemed necessary to interfere with and violate Minister Farrakhan’s constitutional rights under the First Amendment freedom of speech, free exercise of religion, and freedom of association when it noted, in part, the “ADL is not going to make Farrakhan go away. What we can and should do is impose an obligation on those who deal with him, or, as in the case of universities, give him a platform.” (Exhibit “O”)

112. Other unjustifiably disparaging reports on Minister Farrakhan include:

- a. 1994 ADL SPECIAL REPORT, “Louis Farrakhan: In His Own Words-1994” (Exhibit “P”);
- b. 1994 ADL RESEARCH REPORT, “Farrakhan Unchanged: The Continuing Message of Hate, The Ongoing Record of Racism and Anti-Semitism by Louis Farrakhan and the Nation of Islam, February-March 1994” (Exhibit “Q”);
- c. 1995 ADL FACT FINDING REPORT, “Federal Funds for NOI Security Firms: Financing Farrakhan’s Ministry of Hate” (Exhibit “R”);
- d. 1995 ADL FACT FINDING REPORT, “The Other Face of Farrakhan: A Hate-Filled Prelude to the Million Man March” (Exhibit “S”)
- e. 1995 ADL RESEARCH REPORT, “The Nation of Islam: The Relentless Record of Hate (March 1994-March 1995).” (Exhibit “T”)

113. The ADL’s obsession with mischaracterizing and defaming Minister Farrakhan carried on into the 2000s.

114. On or about March 8, 2012, the ADL posted an online article, “Merchants of Hatred,” wherein it defamed Minister Farrakhan as, “the anti-Semitic, racist, and homophobic leader of the Nation of Islam.” (Exhibit “U”)

115. On or about January 12, 2013, the ADL posted an online article entitled, “Farrakhan: In His Own Words,” wherein it intentionally misrepresented Minister Farrakhan as undertaking “a wide-ranging campaign specifically targeting the Jewish community ...Farrakhan has alleged that the Jewish people were responsible for the slave trade and that they conspire to control the government, the media and Hollywood, as well as various black individuals and organizations.”

116. The ADL knowingly failed to state that Minister Farrakhan was speaking from the books, *The Secret Relationship Between Blacks and Jews*, which cite Jewish scholars and researchers who have written that some Jews were instrumental in the slave trade, and that some Jews do control aspects of media and Hollywood.
117. To this very point, on or about December 19, 2008, a Jewish man by the name of Joel Stein wrote an article in *The Los Angeles Times* entitled, “Who runs Hollywood? C’mon,” wherein he expressed consternation and was flabbergasted at the thought that Jews do not run Hollywood.
118. Specifically, he wrote in said article:

I have never been so upset by a poll in my life. Only 22% of Americans now believe “the movie and television industries are pretty much run by Jews,” down from nearly 50% in 1964. The Anti-Defamation League, which released the poll results last month, sees in these numbers a victory against stereotyping. Actually, it just shows how dumb America has gotten. Jews totally run Hollywood.

How deeply Jewish is Hollywood? When the studio chiefs took out a full-page ad in *The Los Angeles Times* a few weeks ago to demand that the Screen Actors Guild settle its contract, the open letter was signed by: News Corp. President Peter Chernin (Jewish), Paramount Pictures Chairman Brad Grey (Jewish), Walt Disney Co. Chief Executive Robert Iger (Jewish), Sony Pictures Chairman Michael Lynton (surprise, Dutch Jew), Warner Bros. Chairman Barry Meyer (Jewish), CBS Corp. Chief Executive Leslie Moonves (so Jewish his great uncle was the first prime minister of Israel), MGM Chairman Harry Sloan (Jewish) and NBC Universal Chief Executive Jeff Zucker (mega-Jewish)...

The person they were yelling at in that ad was SAG President Alan Rosenberg (take a guess). The scathing rebuttal to the ad was written by entertainment super-agent Ari Emanuel (Jew with Israeli parents) on the Huffington Post, which is owned by Arianna Huffington (not Jewish and has never worked in Hollywood.)

The Jews are so dominant, I had to scour the trades to come up with six Gentiles in high positions at entertainment companies. When I called them to talk about their incredible advancement, five of them refused to talk to me, apparently out of fear of insulting Jews. The sixth, AMC President Charlie Collier, turned out to be Jewish.

As a proud Jew, I want America to know about our accomplishment. Yes, we control Hollywood. Without us, you’d be flipping between “The 700 Club” and “Davey and Goliath” on TV all day.

So I've taken it upon myself to re-convince America that Jews run Hollywood by launching a public relations campaign, because that's what we do best. I'm weighing several slogans, including: "Hollywood: More Jewish than ever!"; "Hollywood: From the people who brought you the Bible"; and "Hollywood: If you enjoy TV and movies, then you probably like Jews after all."

...I called ADL Chairman Abe Foxman...He [said]...the number of people who think Jews run Hollywood is still too high... "...What is true is that there are a lot of Jews in Hollywood," he said. Instead of "control," Foxman would prefer people say that many executives in the industry "happen to be Jewish," as in "all eight major film studios are run by men who happen to be Jewish."

But Foxman said he is proud of the accomplishments of American Jews. "I think Jews are disproportionately represented in the creative industry. They're disproportionate as lawyers and probably medicine here as well," he said...

But I don't care if Americans think we're running the news media, Hollywood, Wall Street or the government. I just care that we get to keep running them. (Emphasis added.)(Exhibit "U-1")

119. In this article, Mr. Stein unabashedly and unequivocally exclaimed, "Jews totally run Hollywood."

120. Upon information and belief, the Defendant ADL never called Mr. Stein "anti-Semitic" for telling the undeniable truth.

121. Mr. Stein, in this quite revealing article, let the proverbial "cat-out-of-the-bag" when he intimated that the objective of the Defendant ADL is to get less people to believe that "Jews totally run Hollywood," and to get other people too afraid to speak the truth for fear of being called, "anti-Semitic."

122. In other words, the Defendant ADL's false use of the term "anti-Semite," "anti-Semitic," and "antisemitism," in its quasi-governmental capacity completely erodes the protections guaranteed to the American public in the First Amendment to the U.S. Constitution, and to eviscerate the right of every non-Jewish American citizen to speak the truth about anyone at any time irrespective of whether it aligns with someone else's aims and objectives.

123. Said plainly, the Defendant ADL uses the term “anti-Semitic” as a “trick,” and as a bludgeon, to beat people into submitting to its will, and their actions, in this regard, are not in alignment with the will of “The Founding Fathers” of the United States of America.

124. On August 14, 2002, on a program entitled, “Democracy Now,” a former Israeli official by the name of Shulamit Aloni, made this very point when she said regarding the false use of the phrase, “anti-Semitic:”

Well, it’s a trick. We always use it... When, in this country, people are criticizing Israel, then they are “anti-Semitic.” And the organization is strong, and has a lot of money, and the ties between Israel and the America Jewish establishment are very strong and they are strong in this country, as you know. And they have power, which is OK. They are talented people, and they have power and money, and the media and other things; and their attitude is “Israel, my country, right or wrong....”

And it’s very easy to blame people who criticize certain acts of the Israeli government as ‘anti-Semitic,’ and to bring up the Holocaust, and the suffering of the Jewish people, and that is [to] justify everything we do to the Palestinians. (YouTube, www.youtube.com/watch?v=D0kWAqZxJVE)

125. Upon information and belief, Defendant ADL knows that falsely labeling someone as “anti-Semitic” is a “trick” to manipulate, to punish, and/or to unduly influence others to stay away from saying and/or doing anything that is critical of the ADL, or its interests.

126. Nevertheless, the Defendant ADL went on to mischaracterize Minister Farrakhan’s words to incite outrage when it claimed Minister Farrakhan “denies the legitimacy of Judaism.” (Exhibit “V”)

127. On or about August 2, 2013, the ADL, in an online post entitled, “Nation of Islam Leader Reprises ‘Vintage’ Anti-Semitism; ADL Says Farrakhan's Racism ‘As Ugly As It Ever Was,’” proceeded to defame Minister Farrakhan as “the racist and anti-Semitic leader of the Nation of Islam[.]” (Exhibit “W”)

128. On August 5, 2013, the ADL continued its defamatory attacks on Minister Farrakhan in an online post entitled, “Louis Farrakhan Puts His Anti-Semitism On Full Display; Deepens Conspiracy Theories About Jewish Control,” wherein it said, “...the anti-Semitic and racist leader of the Nation of Islam, has returned again to his old bigotry, and ramped up his virulently anti-Semitic rhetoric in a series of recent speeches.” (Exhibit “X”)
129. On or about February 18, 2019, the ADL further defamed Minister Farrakhan in an online post entitled, “Anti-Semite Louis Farrakhan Teams Up with Notorious Holocaust Denier at Saviours’ Day 2019 Conference,” wherein it mislabeled Minister Farrakhan as an “anti-Semite.” (Exhibit “Y”)
130. On or about January 17, 2019, in another online post, entitled, “Farrakhan: In His Own Words,” the ADL defamed Minister Farrakhan and outright lied when it stated, “He frequently denies the legitimacy of Judaism.” (Exhibit “Z”)
131. Defendant ADL, once again, was unable to specifically quote Minister Farrakhan as denying the legitimacy of Judaism because he has never denied the legitimacy of Judaism or any other revealed religion.
132. On or about February 28, 2022, on its official website, in an article entitled, “Farrakhan Promotes Antisemitism Anti-Vaccine Conspiracies in ‘Swan Song’ Saviours’ Day Address,” Defendant ADL referred to Minister Farrakhan’s words as containing, “antisemitic, bigoted and conspiratorial rhetoric.” (Exhibit “AA”)
133. On or about March 14, 2022, in an online article entitled, “Farrakhan’s Latest Antisemitic, Anti-vaccine Address Garners Over Half Million Views on Facebook and YouTube,” Defendant ADL described Minister Farrakhan as espousing “antisemitism.” (Exhibit “BB”)

134. Upon information and belief, Defendant ADL has labeled countless others with the false label of “anti-Semite” because something may have been said that did not comport with their policies, especially regarding the Palestinian People, or criticizing Jewish misconduct, and/or the state called Israel.
135. Even luminaries such as former President Jimmy Carter, Bishop Desmond Tutu, and former President Nelson Mandela, who are known for their balanced struggle for human rights, have been labeled “anti-Semitic” for simply speaking favorably about the Palestinian people.
136. Prominent black activists like Andrew Young, Reverend Jackson and Kwame Ture have been castigated as “anti-Semites.”
137. Black entertainers like rapper and actor Ice Cube and sports figure DeSean Jackson have been labeled “anti-Semites” by the ADL and SWC for simply expressing something positive or favorable about Minister Farrakhan and/or the Nation of Islam. (Exhibit “CC”)
138. In 2018, newscaster Marc Lamont Hill was fired from his on-air, political commentary position with CNN because he expressed support for Palestinian people in their call for justice.
139. In 2023, the ADL labeled comedian and social analyst Dave Chapelle an “anti-Semite,” because they did not like what he said during his monologue on Saturday Night Live, although they never claimed he lied about anything he said.
140. Upon information and belief, none of these black luminaries have expressed hatred and/or contempt for Jewish people, but they may have said or done something that Defendant ADL determined to be against their interest.

141. Upon information and belief, not one of these individuals ever stated they hated Jews, that they think the Jewish suffering in Nazi Germany was an acceptable act, or that all Jews are wicked people.

142. Therefore, it unceremoniously slapped each luminary with the false label of being an “antisemite,” which was intended to punish them and to force him or her into submission and/or to inflict maximum economic damage as a warning to others of what would happen to them if they said or did similarly.

143. For instance, on December 20, 2022, the Defendant ADL sent a twenty-two (22) page written communication directed to the Office of Management and Budget, which requested an increase in funding for projects it had an interest in the amount of approximately 1.5 Billion dollars. (Exhibit “DD” and “DD-1”).

144. In that same demand letter, the Defendant ADL demanded the U.S. government increase funding for itself and its ancillary agencies in the amount of approximately 400 million dollars.

145. In all, the Defendant ADL demanded the U.S. government appropriate approximately \$1.5 billion of the U.S. taxpayer’s money for its own interests and within three days of that demand letter being issued, the Defendant ADL’s considerable influence over members of the U.S. government is established because the funds were approved.

146. The ability to demand that kind of money and receive approval for it in a matter of days is the quintessential definition of a “direct nexus” and “a symbiotic relationship” with the government.

147. What makes this request even more extraordinary is that at no time should any request for funding be made directly to the Office of Management and Budget unless it is a government agency.

148. Upon information and belief, all of these actions between the ADL, the OMB, and the White House establishes that the ADL acts as a quasi-governmental entity, such that they are government actors for purposes of Constitutional protection under the First Amendment to the Constitution of the United States.

149. Another non-profit entity that has a penchant for defaming Minister Farrakhan and the Nation of Islam as being “anti-Semitic” is the SWC.

SIMON WIESENTHAL CENTER (SWC)

150. The SWC purports to be a global Jewish human rights activist organization.

151. According to its website, www.wiesenthal.com, the SWC, “confronts antisemitism, hate, stands with Israel, defends the safety of Jews worldwide, and teaches the lessons of the Holocaust for future generations.”

152. Its actions, however, demonstrate that it is also an unamerican organization that has woven itself into the fabric of both the U.S. government, in general, and into local governments within America, in particular, to advance interests that are anti-American.

153. With respect to SWC, on or about January 1, 2018, on its official website, the SWC defamed Minister Farrakhan by saying he is, “sowing the seeds of racism, anti-Semitism, and hate[.]” (Exhibit “HH”)

154. In August of 2018, SWC founder, Marvin Heir, exercised influence over a media outlet and directly intervened to interfere with, oppose, and prevent a showing of a documentary

on Minister Farrakhan's life in music on the streaming service Netflix, that had been in the works and under contract since January of 2018. (Exhibit "EE")

155. According to a *New York Times* article dated August 1, 2018, the day before the documentary was to air on Netflix, "...a number of Jewish organizations and people spoke out in media outlets and on Twitter, or said they reached out to Netflix directly[.]" to demand that it not show Minister Farrakhan's documentary.

156. Specifically, with respect to Mr. Heir, according to the article, he said he "immediately called up Netflix chief executive, Ted Sarandos, who told him that a 'glitch' had occurred, and the movie would not be released." (*Id.*)

157. The net result of this interference was the cancellation of the airing of the documentary.

158. This act contributes greatly to comprehending the degree of hatred, ill-will, spite, and malice the Defendants, in general, and SWC, in particular, have toward Minister Farrakhan, and it highlights the lengths to which the Defendants will go to interfere with something that has nothing to do with them.

159. The article recounts Mr. Heir's sentiment as saying, "it would be terrible to give Mr. Farrakhan 'legitimacy' on such a national level by streaming this documentary."

160. SWC's malice was on full display in this *New York Times*' article because its founder could actually say that a documentary would give him "legitimacy" when Minister Farrakhan has earned legitimacy in America, and around the world, for almost a half century.

161. One example of Minister Farrakhan's incontrovertible "legitimacy" occurred on October 16, 1995, when he was blessed to call a million black men to Washington, D.C., for the Million Man March, and nearly two million showed up.

162. On May 10, 2019, in an article posted on their official website, SWC founder Rabbi Marvin Heir, defamed Minister Farrakhan again by falsely stating, “Louis Farrakhan is the Joseph Goebbels of our time.”⁷ (Exhibit “FF”)
163. He also called for the removal of Father Michael Pfleger from St. Sabina Catholic Church for hosting and allowing Minister Farrakhan to speak about, upon information and belief, the Defendant-inspired ban of Minister Farrakhan from Facebook. (*Id.*)
164. To this point, on or about June 30, 2020, the SWC issued a report announcing the publication of a dossier entitled, “Louis Farrakhan—Four Decades of Bigotry: In His Own Words.” (Exhibit “GG”)
165. The false report published on June 30, 2020, was replete with statements about Minister Farrakhan it knew, or should have known, to be false. (Exhibit “HH”)
166. On or about June 30, 2020, the SWC boasted on its website how it exercised influence over a media outlet, and caused that outlet to cancel the broadcast of Minister Farrakhan’s July 4, 2020, message entitled, “The Criterion,” wherein it said, “[f]ollowing protests from the Simon Wiesenthal Center last week, Foxsoul.TV dropped its plans to broadcast Louis Farrakhan from its July 4th programming.” (Exhibit “II”)
167. On July 5, 2020, Defendant SWC made an online post that maligned and defamed Minister Farrakhan as, “America’s Godfather of anti-Semitism.” (Exhibit “II-1”)
168. On December 29, 2020, SWC published a report entitled, “The 2020 Top Ten Worst Global Anti-Semitic Incidents,” wherein it defamed Minister Farrakhan by putting him on the list, and by stating that he had a “35-year campaign against Jews and Judaism.” (Exhibit “JJ” and “JJ-1”)

⁷ Joseph Goebbels was the chief propagandist for the Nazi Party and the Third Reich from 1933-1945.

169. On or about February 27, 2022, the SWC, once again, maligned Minister Farrakhan in a tweet as, “the godfather of Jew-hatred in the USA[.]” (Exhibit “KK”)

170. In direct contravention to the false statements spewed by the Defendants, Minister Farrakhan has nothing but admiration and respect for Judaism and those Jewish people who strive to follow the Torah.

MINISTER FARRAKHAN’S RESPECT FOR JUDAISM AND JEWISH PEOPLE

171. Each of the Defendants claim to be guardians of the American people, in general, and Jewish people, in particular, as they survey the landscape of America to bring to the people’s attention those who are anti-Jewish.

172. However, it is precisely their failure to acknowledge Minister Farrakhan’s respectful statements about Jews and Judaism that exposes its malice toward him and the Nation of Islam and their hypocrisy in the face of truth.

173. Minister Farrakhan honors, respects, and even admires many members of the Jewish community, including his boyhood idol and one of the greatest violinists, Jascha Heifetz, who was a Russian Jew, and his own Jewish violin teachers.

174. Defendants, as noted above, have alleged to have quoted Minister Farrakhan in articles and/or reports that include the caption, “Farrakhan: In His Own Words.”

175. As Defendants scour practically every word Minister Farrakhan speaks publicly, and quite possibly some words he speaks privately, they conveniently and intentionally overlooked, disregarded, and turned a blind eye to the following statements that reveal Minister Farrakhan’s recognition of, and respect for, Jewish people and Judaism:

- a. On November 17, 1983, in a lecture entitled, “The Dynamic Force of Islam: Its Effect on America,” Minister Farrakhan recognized the legitimacy of Judaism, when he said:

Because if you are a Christian and you believe in the message of Jesus, and if you are a Jew and you believe in the message of Moses, no matter what your religion is, if it is a revealed religion that came through the prophets of Almighty God, ultimately, we are going to be one, because the same God that sent Jesus into the world sent Moses and Muhammad into the world, and He didn't send them into the world with conflicting ideologies, conflicting philosophies. If God is One, and He is, and His religion is one, and it is, and He is not the Author of confusion, but of peace, you could not give the blame to God for creating all these different religions on the earth. These religions on the earth, if you look beneath the surface of what is taught, you find principles in Christianity, in Judaism, and Islam that are the same, and it proves that they come from the same Source.

- b. On January 1, 1989, in a lecture entitled, “How to Eat to Live,” Minister Farrakhan acknowledged the existence of “good Jews,” when he said:

And the good Jews follow [Moses’ dietary law] to this day. And they get a lot of credit for following God's law.

- c. On August 30, 1992, in a lecture entitled, “Food, Clothing, and Shelter: The Vision of the 3-Year Economic Program,” Minister Farrakhan denied calling Judaism a “gutter religion,” when he said:

Don't put on me that I'm an “anti-Semite.” That's not true. That's not true. “Hitler was great, but he wasn't good.” That's what I said. I said he was “wickedly great.” I spoke the truth. I never called Judaism, “a gutter religion.” Every time they write about me in the paper, they'll say, ‘Farrakhan, that guy that teaches Judaism is a gutter religion, and Hitler was a great man.’ Stop it. You say so many lies, you believe your own. I didn't say that. I was speaking of the State of Israel and her mistreatment of the Palestinians. Don't call me “anti-Semitic” because I disagree with Zionist viewpoint. That's my personal right to disagree with a Zionist point of view. But that doesn't mean I won't come to the synagogue and enjoy seder with you.

- d. On March 19, 1994, in a lecture at the Fresno Convention Center, Minister Farrakhan denied hating Jewish people because of their faith, when he said:

I want the Jews in this audience to know that I don't hate you because of your faith. What kind of man would I be to hate you because you are a Jew when we all claim Abraham as our father? I want you to listen to me. I'm not afraid of you. So, I have no reason to lie. I never called Judaism a "gutter religion." That's what the papers say, and they continue to repeat it when I have clarified for 10 years.

- e. On February 25, 1996, during his Saviours' Day address entitled, "Guidance and Instruction to the Year 2000 and Beyond," Minister Farrakhan acknowledged the legitimacy of Judaism as one of the "great revealed religions," and recognized there are good Jews, when he said:

Every prophet of God said, "I submit to obey God and whatever God commands me to do, that I do." Abraham bowed to God, and all the prophets of these three great revealed religions of Christianity, Judaism, and Islam, all of them bowed down to the will of God...

When you submit to God, all our words and our actions reflect Him to whom we submit. And you know, and I know that it's a struggle every day to submit our will to do the will of God and sometimes we are alright and other times we don't do so good. So, a Muslim, and a good Christian, and a good Jew is always struggling against the flesh, to submit to God.

- f. On June 2, 1996, in a lecture entitled, "Fear, Faith, and Truth," Minister Farrakhan acknowledged the legitimacy of Judaism, when he said:

When I told members of the Jewish community that I wasn't condemning the religion of Judaism as such... God knows the truth and there's nothing you can do to me unless God pleases. So, if I tell you that I did not mean to insult the religion of Judaism, then accept that because I'm not a liar.

- g. On February 22, 1998, during his Saviours' Day address, Minister Farrakhan recognized "good Jews," when he said:

I want to know when will the good Jews, stand up against the Jews that are not good? When will the good Jews, point out the bad Jews....

- h. On February 27, 2000, during his Saviours' Day address, Minister Farrakhan demonstrated his appreciation for members of the Jewish faith, when he said:

To the Muslim community worldwide, I can never thank you enough for your prayers for my recovery, thank you. To the Christian community, black, white, and Asian, thank you for your prayers. And to those members of the Jewish faith, both the original Hebrew Israelites under the leadership of Rabbi Ben Ami headquartered in Demona, Israel, and those members of the orthodox Jewish faith and many others, who have prayed and continue to pray for me, I thank you from the depth of my heart.

Moreover, and contrary to how the Defendants have misrepresented Minister Farrakhan to the world, in general, and to members of their Jewish community, in particular, Minister Farrakhan's demonstration of appreciation and respect for members of the Jewish faith was on full display when he permitted Jewish rabbis to share his stage at the annual convention of the Nation of Islam and to have some words to say on the Sunday program.



- i. On February 25, 2001, during his Saviours' Day address entitled, "Make Straight in the Desert a Highway for Our God," Minister Farrakhan recognized the legitimacy of Judaism as a religion when he said:

From the Christian perspective, I bear witness that Jesus is the Christ. From the Muslim perspective, I bear witness that the Mahdi [is] the self-guided One... I bear witness to the Jews and the Hebrews, who await the Messiah. You were wise to await him...

But after Satan's time of rule is up, the righteous should be looking for the coming of and the presence of God. Now, if Satan has had power, his power is most prominent in religion. Whether it's Islam, Christianity, or Judaism, or Buddhism, whatever your religion is, Satan didn't leave you alone.

- j. On July 23, 2001, during an address regarding the African Union, Minister Farrakhan recognized the legitimacy of Judaism and truth contained therein when he said:

Whether our religion is Christianity, Islam, or Judaism, the fact is that racism has poisoned the bloodstream of the monotheistic religions of the world. So, it becomes our duty, now, to take the truth of Judaism, the truth of Islam, and the truth of Christianity and drive racism out of it. Then, and only then, can religion be an active participant in the liberation of the human spirit.

- k. On September 16, 2001, during a press conference at Mosque Maryam after the attack on the World Trade Center on September 11th, Minister Farrakhan recognized the legitimacy of Judaism when he said:

I would humbly, humbly advise and implore the president of the United States, before he takes this country into war, to counsel with scriptural scientists who are among the Jews, the Christians, and the Muslims. There are those who have given their lives to the study of prophecy and can advise him so that as we put on the armor of battle, we have to put on the whole armor of God....

And it seems as though the political people cannot bring it about. So, those who are religious scientists must rise to the occasion. The children of Abraham, Muslims, Christians, and Jews, pooling the best of our knowledge of scripture can help to solve that problem...

We cannot march off into war saying, 'Hip, hip, hooray.' We have to march off into war guided by the knowledge of what this is, and if we can avert war, we should do everything we can to avert it because 'blessed are the peacemakers for they shall be called the children of God.' I would appeal to the scriptural scientists among us, those of Judaism, Christianity, and Islam, to be utilized by President Bush to help him to understand this hour from what the prophets saw and predicted.

- l. On August 26, 2002, during an interview with Phil Donahue, Minister Farrakhan acknowledged the existence of “good Jews...that are righteous” when he said:

Now, are there good Jews? Of course, there are. Are there Jews that are righteous? Of course, there are. Are there Jews that have benefited black people? Of course, there are. We don't put those righteous persons in a class of those that are not good any more than you put indecent blacks in the class of those that are doing good.”

- m. On June 25, 2005, at the GAEBO Convention Center in Savannah, Georgia, Minister Farrakhan publicly acknowledged his admiration for Jewish people when he said:

I want the Press to know I've never been an 'anti-Semite.' I don't hate the Jewish people. I never have. I'm an admirer of the Jewish people because they lead in every field of human endeavor. Without Jewish science and Jewish technology, Jewish medicine, I mean, they've advanced their fields. I don't have any problem with that... But the Jews are not so sacrosanct that they are above critical analysis. Don't get upset with me because I see you. It's not about hate. It's about that freedom of people that cannot rise if you're sitting on them...

See, I'm not against the Jewish people. I want you to know that. I have never, ever, ever done anything to hinder a Jewish person from getting a job, or advancing in the society. I've never picketed a Jewish store. When we don't have Halal meat, I go to the kosher meat market, and I spend my money with you. I've never asked [anybody] to boycott a Jewish store. Check my record. We have never, ever put any graffiti on a synagogue because our religion teaches us to protect any house where God's name is remembered.

- n. On September 14, 2005, in a lecture entitled, “The Time of Trouble-America Must Reap What She Has Sown,” Minister Farrakhan acknowledged his respect for Jewish people, when he said:

I have never hated the Jewish people. I have always respected them. But what I have always been against is the level of control that they exercise over blacks in politics, blacks in culture, blacks in academia. I have not spoken in a black college for years because they poison black presidents and frightened them that Farrakhan should not come on the campus and speak to young black men and women. I could not come to Morehouse. I could not come to Morris Brown. I could not come to A&T. I could not

come to Howard. No black school because they had a stranglehold on black presidents; that a man like Farrakhan should not be allowed to speak to young black men and women, not because I don't have something to say. But because Farrakhan knows the truth, the truth that Jesus said would set us free.

- o. On October 15, 2005, on the mall in Washington, D.C., during the Millions More Movement, Minister Farrakhan recognized the legitimacy of Judaism, along with Islam and Christianity, when he said:

And lastly, we need a ministry that deals with the head, the spirit of our people, where we collect our spiritual leaders of Christianity, and Islam, and Judaism, and all other religions, and come up with the spiritual teaching that will transform our lives by renewing our minds[.]

- p. On May 7, 2007, during a CNN interview with Don Lemon, Minister Farrakhan articulated his respect for Jewish people and their faith tradition when he said:

I've never been an anti-Semite from the depth of my heart. I know that I've never hated the Jewish people. And for me to hate a Jewish person because of their faith tradition would make me less than a Muslim, less than a righteous person, and would make me a bigot, and a wicked person...People were calling me 'the new black Hitler.' I have never pulled or plucked one hair from the eyebrow of a Jewish person. I trade with Jewish stores right now. I, if I can't find something that is Halal, I go to the kosher store to buy the food. So, please, if I were anti-Semitic, if I hated the Jewish people, I would organize boycotts against their businesses. You wouldn't see a Muslim putting a swastika on a Jewish synagogue because our Qur'an forbids us, and even advises us, if we see someone doing that to a church or a synagogue or a cloister, that we should stop them from doing so.

- q. On July 3, 2008, during the Emancipation Day celebration in St. Croix, Minister Farrakhan articulated his non-hatred of the Jewish people when he said:

Now, they call me "anti-Semitic." I hate that appellation or name applied to me because I have never been hateful of the Jewish people, never. Critical? Yes. Hateful? No.

- r. On June 24, 2010, in a letter to then director of the ADL, Abraham Foxman, as well as to other leaders of Jewish organizations, Minister Farrakhan wrote, among other things:

The charge of anti-Semitism has been leveled against Elijah Muhammad, Malcolm X, and the Nation of Islam for many years. For 25 of the 33 years of my rebuilding of the Nation of Islam, I and we, in the Nation of Islam, have suffered under the charge of “anti-Semitism”...As you have constantly labeled me and done everything within your power to hinder me and us from the civilizing work that Allah (God) has given to Elijah Muhammad and myself to do, I ask you to find one act committed by me, or those who follow me, that has injured one Jewish person, stopped Jews from doing business, hindered their education, injured their families, sullied or desecrated their synagogues. You will not find one.

So, except for our willingness to tell the truth and our unwillingness to apologize to you for telling the truth, on what basis do you charge me and us as being ‘anti-Semitic?’...I have pleaded with you over the years for a sensible, intelligent dialogue. You have rejected me, and some Rabbis have given me terms for friendship that any self-respecting person could never accept. So, with this truth in our hands and yours, and soon in the hands of tens of thousands, I again ask you for a dialogue.

- s. Lastly, on July 4, 2020, during “The Criterion” lecture, Minister Farrakhan articulated his non-hatred of the Jewish people when he said:

You really think that I hate the Jewish people? You do not know me at all. You that have been in my close conversations, have you ever heard me utter the words of death to the Jewish people? (Note: The answer was a resounding, “No!”)

176. These quotes and many others identify Minister Farrakhan’s positive perspective on Judaism and those Jewish people who strive to be righteous.

FACTS

ADL / JOHNATHAN GREENBLATT

177. At ADL.org, the Defendant ADL states:

- a. “The Nation of Islam (NOI), the largest Black nationalist organization in the U.S., has maintained a consistent record of antisemitism and bigotry since its founding in the 1930s.”

- b. “Some mainstream figures, including elected officials and celebrities, have publicly supported the NOI, focusing on the group’s efforts to bolster Black self-reliance while minimizing or not acknowledging the NOI’s well-established record of bigotry and antisemitism, giving this hateful rhetoric a measure of legitimacy.”
178. The issue becomes what the Defendant ADL defines as “anti-Semitic,” or “antisemitism.”
179. Merriam-Webster Dictionary, the leading dictionary in America, defines the word “Semite” as, “a member of any of a number of peoples of ancient southwestern Asia including the Akkadians, Phoenicians, Hebrews, and Arabs.” (Exhibit “LL”)
180. Based upon this definition of the word “Semite” from the nearly 200-year-old Merriam-Webster Dictionary, multiple groups of people are contained under the title, “Semite.”
181. By definition, anyone who is labeled “anti-Semite” would be a person who dislikes, hates, and/or attacks a person, or persons, of one of the multiple groups of people who have historically and legitimately been defined as a “Semite.”
182. The Defendant ADL, however, has crafted its own definition of the word “Semite” and “Semitic” to mean only those people who identify as Jewish.
183. No one group of people own the word “Semite” because, for thousands of years, it has belonged, and still belongs, to multiple groups of people.
184. In fact, any one group of people who seeks to ascribe solely to itself the label of “Semite” to the exclusion and denial of the other multiple groups of Semitic people, is, in fact, being “anti-Semitic.”
185. Nevertheless, the Defendant ADL has ascribed to itself the ability to make up a new definition for the words “anti-Semite,” “anti-Semitic,” and “antisemitism,” and has sought

to impose its arbitrary definition on the public and the Executive, Legislative, and Judicial branches of government, including their respective governmental agencies.

186. For instance, to be labeled an “anti-Semite,” or as “anti-Semitic,” by the Defendant ADL, and others, includes, but does not require a person to say or do something harmful or hateful to Jewish people.

187. The false use of those labels, that fit into its own arbitrary definition of those words, includes anyone who would dare to say anything that is contrary to its interests or against what is called the state of Israel.

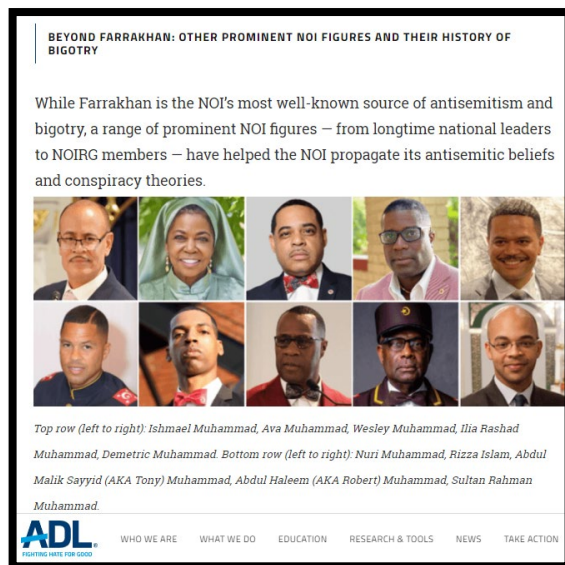
188. Moreover, irrespective of the truth of any statement made that it does not like, on its website, Defendant ADL lists the following “tropes” that, from its perspective, would warrant the label of “anti-Semite,” or “anti-Semitic” if someone used any one of them:

- a. Jews have too much power,
- b. Jews are disloyal,
- c. Jews are greedy,
- d. Jews killed Jesus,
- e. Jews use Christian blood for religious rituals,
- f. The Holocaust didn’t happen, and
- g. Anti-Zionism or delegitimization of Israel.

(Exhibit “MM”)

189. This arbitrary and expanding list of what the Defendant ADL determines to be instances of “antisemitism” amplifies the perspective of one writer who said, ““anti-Semite” used to mean a man that hated Jews. Now, it means a man who is hated by Jews.” (Exhibit “NN”)

190. Several of Minister Farrakhan's student ministers have been falsely labeled as "anti-Semitic" by the Defendant ADL.



191. The words and deeds of Defendants Jonathan Greenblatt and the ADL are not just words and deeds of an individual or an organization, but are the words and deeds that carry the weight of acting under the color of law.

192. Defendant ADL has a long history of performing governmental functions at every level of government: federal, state, and local.

193. The training of law enforcement officers is a governmental function, and by its own admission on its official website, the ADL trains at least 15,000 law enforcement personnel per year. (Exhibit "OO")

194. Defendant ADL engages in joint law enforcement training sessions with the "F.B.I."

195. Defendant ADL acknowledges that it is recognized as the nation's top "non-governmental" law enforcement training organization on issues of implicit bias, hate crimes, extremism, and community security. (Exhibit "PP")

196. Defendant ADL has a law enforcement advisory committee that meets regularly with the F.B.I.
197. Defendant ADL indicated that, as of 2018, in New York and New Jersey, it had trained 1,280 law enforcement officials in recognizing and preventing extremism.
198. Additionally, as of 2018, Defendant ADL had trained 1,593 officials from law enforcement agencies across New York and New Jersey, “in managing implicit bias, Holocaust education, and recognizing hate crimes.” (*Id.*)
199. Upon information and belief, the law enforcement advisory committee meets with high-ranking law enforcement officials where they receive directives from the ADL, and/or where the ADL frames law enforcement policies and objectives.
200. According to the ADL, in 1998 they created the “Law Enforcement and Society” (LEAS) program in Washington D.C., working with the U.S. Holocaust Memorial Museum, and since its establishment, the ADL asserts that they have trained more than 100,000 law enforcement officers, as noted on their website:

Every new F.B.I. Special Agent must go through this training, which has also become standard protocol for several major metropolitan police forces, the Department of Homeland Security and the Bureau of Alcohol, Tobacco, Firearms and explosives.....Federal agencies whose agents are trained in the program include the Federal Bureau of Investigation, U.S. Secret Service, and U.S. Immigration and Customs Enforcement, while local departments include the Washington, D.C., Metropolitan Police Department, the Philadelphia Police Department, and dozens more. LEAS has also been incorporated into the curriculum of F.B.I. National Academy, the F.B.I. National Executive Institute, and the F.B.I. Law Enforcement Executive Development Seminar. In addition to the original program.... LEAS is also now offered in Houston, Los Angeles, Nassau County (NY), Seattle, St. Louis and Tampa. (Exhibit “QQ”)

201. The scope, depth, and breadth of the ADL’s substantial intertwining with law enforcement training at the federal, state, and local levels is staggering.

202. Defendant ADL, under color of law, carries out these governmental functions, including investigating, spying, law enforcement training, and reporting and, upon information and belief, federal and local agencies rely upon their spying, investigating, and reporting.

203. Historical and present pronouncements by both past and recent F.B.I. Directors acknowledge this governmental function Defendant ADL provides to the U.S. government, in general, and the F.B.I., in particular.

204. The ADL is, in effect, a government-funded functionary of the U.S. government that has utilized its authority under the color of law to label Minister Farrakhan an “anti-Semite,” and, in turn, deprived him of constitutional guarantees.

[New Para] These statements, and others noted herein, form, in part, the basis for the causes of action Plaintiffs have brought against the ADL and Defendant Greenblatt.

SWC / ABRAHAM COOPER

205. On or about December 29, 2022, on its official website, Defendant SWC published a document entitled, “2022 Top Ten Worst Global Anti-Semitic Incidents,” wherein it maligned Minister Farrakhan as “America’s godfather of hate.” (Exhibit “RR”)

206. On or about December 1, 2022, on its official website, Defendant SWC attempted to justify its false labeling of Minister Farrakhan as an “anti-Semite,” when it labeled him as “America’s Godfather of hate,” in its attempt to intentionally mischaracterize him to the world. (Exhibit “SS”)

207. On or about March 1, 2023, SWC published on that same website an article entitled, “Farrakhan’s Annual Saviours’ Day Anti-Jewish Tirade Continues As Does Silence of Political and Faith Leaders.” (Exhibit “TT”)

208. The article, which falsely charged Minister Louis Farrakhan as being “antisemitic,” stated in part, “The Simon Wiesenthal Center is condemning Louis Farrakhan’s latest Savior’s [Sic] Day anti-Semitic and anti-Judaic diatribes during the Nation of Islam’s annual conference in Chicago.”
209. In that article, Abraham Cooper made false and defamatory statements about Minister Farrakhan, when he said, “We have tracked and denounced Farrakhan and his trail of Jew-hatred and anti-Semitic incitement for four decades. Yet, the godfather of hate has rarely been publicly criticized.” (*Id.*)
210. These statements, and others noted herein, form, in part, the basis for the causes of action Plaintiffs have brought against the SWC and Abraham Cooper.

COUNTS

COUNT 1

FIRST AMENDMENT – FREEDOM OF ASSOCIATION - UNDER COLOR OF FEDERAL LAW

FARRAKHAN V. ADL

211. Plaintiff realleges and incorporates by reference paragraphs 20-210, as though fully set forth herein.
212. The First Amendment to the United States Constitution provides, in part, that, “Congress shall make no law...abridging...the right of the people peaceably to assemble....”
213. Defendant ADL, as a de facto, quasi-governmental actor, while acting under the color of federal law, has engaged in activity that has unlawfully infringed upon Minister Farrakhan’s constitutional right to peaceably assemble, or associate, with others who share a common interest.

214. In support of said statement, on November 22, 2014, Minister Farrakhan spoke to a standing-room-only audience in the 2,000-seat Murphy Fine Arts Center on the campus of Morgan State University (hereinafter, “Morgan State”).
215. The vast majority of those in attendance shared common interests with Minister Farrakhan, as evidenced by the multiple standing ovations he received as he spoke.
216. In addition, some of the students of Morgan State emphatically declared, “[w]e need Minister Farrakhan!” (Exhibit “W”)
217. A writer for *The Baltimore Sun*, who cited the Defendant ADL to support his opposition to Minister Farrakhan’s anticipated speaking event on Morgan State’s campus in 2014 wrote, “[a] complete list of Mr. Farrakhan’s long history of Jew-baiting can be found on the website of the Anti Defamation (Sic) League.” (Exhibit “VV”)
218. In 2014, Morgan State’s administration, however, rebuffed such opposition and allowed Minister Farrakhan to speak and, thereby, associate with them and over 2,000 of their students.
219. Upon information and belief, after that speaking engagement, the Defendant ADL either put pressure on the administration or threatened to lobby against funding for Morgan State if the administration allowed Minister Farrakhan to associate with them and/or their students in the future.
220. In support of this belief, on August 20, 2023, the Nation of Islam sought to secure the Murphy Fine Arts Center as the potential location for Minister Farrakhan to speak on Sunday, October 15, 2023, or on Saturday, October 14, 2023, in commemoration of the 28th anniversary of the Million Man March. (Exhibit “WW”)

221. Said event would have been of the exact nature, format, and type of event as the last time Minister Farrakhan spoke in that venue on November 22, 2014.
222. On August 22, 2023, however, the administration of Morgan State disassociated itself from Minister Farrakhan and refused to allow the speaking event to be hosted on Morgan State's campus.
223. In its rejection of the application for use of the Murphy Fine Arts Center for a speaking engagement, an administrative assistant for the Murphy Fine Arts Center, said, among other things, "[t]he type of event that you are asking to hold, is not suited for our center." (Exhibit "XX")
224. The administrative assistant did not provide any further information as to how the proposed speaking event was "not suited" for the center, different from the last speaking event they approved.
225. Upon information and belief, Defendant ADL became aware of Nation of Islam's August 20, 2023, application for rental of the Murphy Fine Arts Center for a speaking event.
226. Upon information and belief, Defendant ADL used its power, position, and authority from and/or with the federal government, to put pressure on Morgan State to reject the application that would have potentially allowed Minister Farrakhan to speak on its campus and to associate with them and their students.
227. In the alternative, upon information and belief, the administration of Morgan State chose to disassociate themselves from Minister Farrakhan and to reject the same type of event it previously allowed on its campus because of the relentless misrepresentation of Minister Farrakhan by the Defendant ADL as being "virulently anti-Semitic."

228. Moreover, upon information and belief, members of the Morgan State administration, over the years, have become aware of the social and economic punishment the Defendant ADL has ruthlessly imposed on individuals, institutions, and/or organizations that have, one way or another, associated themselves with Minister Farrakhan and the Nation of Islam.

229. Upon information and belief, Morgan State administrators became aware of those actions against others and became fearful of reprisal by the de facto, quasi-governmental “anti-Semitic” watchdog of the federal government, otherwise known as the ADL, if they allowed the man the Defendant ADL falsely claims to be “virulently anti-Semitic” to speak on their campus to like-minded students.

230. Minister Farrakhan maintains that this rejection of the application for him to speak on Morgan State’s campus, which, by every reasonable account, constituted a disassociation after a cordial 40-year relationship, was the result of Defendant ADL’s direct or indirect actions to impermissibly interfere with, disrupt, and infringe upon his right to freely associate with others of similar interests in violation of the protections guaranteed by the First Amendment to the United States Constitution.

Wherefore, Minister Farrakhan respectfully requests that this Court find that these action by Defendant ADL constituted a violation of the First Amendment and grant him the appropriate relief.

COUNT 2

FIRST AMENDMENT – FREE EXERCISE OF RELIGION - UNDER COLOR OF FEDERAL LAW

FARRAKHAN V. ADL

231. Plaintiff realleges and incorporates by reference, paragraphs 20-210, as though fully set forth herein.

232. The First Amendment to the United States Constitution provides, in part, that “Congress shall make no law...prohibiting the free exercise...” of religion.

233. Defendant ADL, a de facto, quasi-governmental agency, while acting under color of federal law, has impermissibly interfered with, and continues to interfere with, Minister Farrakhan’s right to free exercise of religion in violation of the First Amendment of the United States Constitution.

234. Minister Farrakhan’s Mission is to deliver the revelation of Allah (God) to his people and all members of humanity.

235. The Defendant ADL, however, began implementing a strategy through the Executive Branch of the U.S. government that would result in the infringement of Minister Farrakhan’s, and others, First Amendment right to free exercise of religion.

236. To this end, on December 5, 2022, at the urging of the Defendant ADL, the “House and Senate Bipartisan Task Force on Anti-Semitism” forwarded a letter signed by 125 members of Congress to President Joseph Biden requesting the creation of an interagency task force out of the White House to “combat antisemitism.” (Exhibit “YY”)

237. Two days later, on December 7, 2022, the first steps in honoring Defendant ADL’s request for the creation of such an interagency task force took place when Vice-president Kamala Harris’ husband, Douglas Emhoff, hosted a meeting with certain Jewish leaders under the caption, “White House Antisemitism Roundtable.” (Exhibit “ZZ”)

238. Five days thereafter, on or about December 12, 2022, the White House announced the creation of an interagency task force to study strategies to counter, among other things, antisemitism. (Exhibit “AAA”)

239. Upon information and belief, over the next five months, the Defendant ADL conducted additional meetings with White House personnel to concretize its objective of the creation of this interagency task force, which was the development of a national strategy for the U.S. government to use its resources and personnel to combat whoever the Defendant ADL determines to be an “anti-Semite,” and what the Defendant ADL determines to be “anti-Semitic” and “antisemitism.”

240. Finally, on May 25, 2023, the White House issued and published “The U.S. National Strategy To Combat Antisemitism.” (Exhibit “BBB”)

241. This national strategy is the most recent product of the Defendant ADL’s efforts to institutionalize its subjective beliefs as to who and what qualifies as “anti-Semitic” and “antisemitism.”

242. On that same day, Defendant ADL took credit for shaping this national policy by posting on its official website a document entitled, “ADL Shaped White House Strategy to Counter Antisemitism.” (Exhibit “CCC”)

243. Also, on that same day, the Defendant ADL published on their website a document called, “ADL’s COMBAT Antisemitism Plan,” which appears to mirror the elements of the U.S. National Strategy to Combat Antisemitism. (Exhibit “DDD”)

244. Defendant ADL’s starting of a process in December of 2022, and completing it by May of 2023, to have a national strategy signed by the president of the United States, establishes

it as the de facto, quasi-governmental “anti-Semitic” watchdog for the federal government.

245. The inauspicious danger associated with the Defendant ADL’s arbitrary self-serving declaration of who and what it determines to be “anti-Semitic” and “antisemitism” is the fact that it has become the basis of a major national initiative of the president of the United States.

246. Since Minister Farrakhan has been labeled by the Defendant ADL as “anti-Semitic” more times than anyone else in America, the Defendant ADL, upon information and belief, has taken steps to weaponize the U.S. government against Minister Farrakhan and the Nation of Islam through this national strategy. (Exhibit “BBB”)

247. The Defendant’s false labeling of Minister Farrakhan as “anti-Semitic” is imposed upon him because they do not like the truth that he speaks, and their decades-long oppressive handling of the Palestinian people is reminiscent of 2,000 years ago when certain Jews could not bear to hear the truth that Jesus spoke about them. (*Id.*)

248. Nevertheless, the Defendant ADL’s false labeling of Minister Farrakhan as “anti-Semitic,” coupled with the “National Strategy on Combating Anti-Semitism,” which it ushered through the Executive Branch of the U.S. Government, infringes upon Minister Farrakhan’s free exercise of his religion in violation of the First Amendment because it makes him a real and absolute target of this national strategy and it is designed to hinder his teaching of Islam as Allah (God) revealed it to the Most Honorable Elijah Muhammad.

249. Upon information and belief, the Defendant ADL plans and anticipates that the national strategy will, on one hand, result in Minister Farrakhan’s arrest, imprisonment, and/or

physical harm, or, on the other hand, hinder and infringe up the free exercise of his religion.

250. The efforts of the Defendant ADL to hinder Minister Farrakhan's free exercise of his religion was on full display on February 9, 2023, when Defendant Greenblatt, on behalf of the Defendant ADL, wrote a letter to the head of Ticketmaster in an attempt to get Saviours' Day 2023 cancelled and, thereby, unduly infringe upon Minister Farrakhan's free exercise of his religion. (Exhibit "EEE")

251. In that letter, the Defendant ADL referred to Minister Farrakhan as, "the Nation of Islam's longtime leader and one of the most notorious antisemites in the country." (*Id.*)

252. Immediately thereafter, on or about February 13, 2023, Defendant Greenblatt, on behalf of the Defendant ADL, further attempted to have Minister Farrakhan's Saviours' Day speech cancelled by tweeting, "Louis Farrakhan, the notorious antisemite and hater of LGBTQ+ people, is being given a platform and venue in Chicago. Will the city and owners of this venue condemn his hateful words? Shameful." (Exhibit "FFF")

253. Since the implementation of the U.S.'s "National Strategy to Combat Anti-Semitism," which the Defendant ADL was instrumental in crafting, said Defendant will now openly have the power, might, and weight of the U.S. government to further its efforts to, in fact, infringe upon Minister Farrakhan's right to free exercise of his religion.

Wherefore, Minister Farrakhan respectfully requests that this Court find that these actions by Defendant ADL constitutes a violation of the First Amendment and grant him the appropriate relief.

COUNT 3

FIRST AMENDMENT – FREE EXERCISE OF RELIGION – UNDER COLOR OF FEDERAL LAW

NATION OF ISLAM V. ADL

254. Plaintiff realleges and incorporates by reference, paragraphs 20-210, as though fully set forth herein.

255. Defendant ADL, a de facto, quasi-governmental agency, while acting under color of federal law, has impermissibly interfered with, and continues to interfere with, the Nation of Islam’s free exercise of religion in violation of the First Amendment of the United States Constitution.

256. Defendant ADL, as part of its close nexus and symbiotic relationship with the federal government, conducts investigations on matters it maintains are instances of “antisemitism.”

257. In addition to performing investigative functions for the F.B.I., and sharing such information with the F.B.I., Defendant ADL, upon information and belief, also performs enforcement measures regarding these same matters it maintains are instances of “antisemitism.”

258. In support of said perspective, the Nation of Islam once had an account on the streaming video platform named “Vimeo.”

259. The Nation of Islam, on said platform, exercised an aspect of its religion by proselytizing through the spreading of the Teachings of the Most Honorable Elijah Muhammad on the “Vimeo” platform.

260. Upon information and belief, Defendant ADL, as part of their relationship with the F.B.I., tracked and investigated the “Vimeo” platform since the Nation of Islam was using it to spread the Teachings of the Most Honorable Elijah Muhammad.

261. Upon information and belief, Defendant ADL determined the messages presented through “Vimeo” were “anti-Semitic,” and, thereafter, used its authority and sanctioning by the F.B.I. to cause “Vimeo” to cancel the Nation of Islam’s account on or about July 16, 2020. (Exhibit “GGG”)

262. To this end, “Vimeo” specifically stated in its account cancellation notification to the Nation of Islam that it relied upon information from the Defendant ADL to effectuate the cancellation.

263. Said act unjustly infringed upon the Nation of Islam’s free exercise of religion.

Wherefore, Nation of Islam respectfully requests that this Court find that these actions by Defendant ADL constituted a violation of its’ First Amendment right to free exercise of religion, and grant it the appropriate relief.

COUNT 4

FIRST AMENDMENT – FREE EXERCISE OF RELIGION - §1983

NATION OF ISLAM V. ADL

264. Plaintiff realleges and incorporates by reference, paragraphs 20-210, as though fully set forth herein.

265. The First Amendment applies to state and local governments, including these defendants, by virtue of the Fourteenth Amendment under the “incorporation doctrine.” *Cantwell v. Connecticut*, 310 U.S. 296, 303 (1940).

266. 42 U.S.C. §1983 creates a private right of action against any person who, under color of state law, deprives another of “rights, privileges, or immunities secured by the Constitution.”

267. Upon information and belief, Defendant ADL has engaged in actions that violate the Nation of Islam's 1st Amendment right to free exercise of religion 42 U.S.C. §1983.

268. To this end, on November 21, 2022, during a press conference on the city of New York, and in a response to a question regarding New York's efforts to combat "antisemitism," Mayor Eric Adams said:

[Dealing] with specifically antisemitism is not just a law enforcement issue. We need to stop the feeders of antisemitism. That is why we've partnered with the ADL and other organizations, the Anti-Defamation League and other organizations to say, "How do we create environments where hate cannot grow in our cities?" We're doing it in the Department of Education, we're doing it in collaborations with some of the organizations that are mentioned here with partnership — Rabbi, the Board of Rabbis, Rabbis Potasnik and others. We know we have to stop the feeder of hate in our cities, in all the different groups in this city. And then we must have a real law enforcement response. The commissioner immediately put new leadership over at the Hate Crime Unit because we wanted to be clear that if there are those who are using hate to target people in the city, we want those cases investigated, we want the people apprehended, and we want to make sure that they're prosecuted to the full extent of the law. (Exhibit "HHH")

269. Since Defendant ADL has labeled the Nation of Islam as a body of "anti-Semitic" people, it is axiomatic to say that the Nation of Islam is a target of the city of New York's "partnership with the ADL" for law enforcement purposes.

270. The City of New York's partnership with the ADL will serve to hinder the free exercise of religion of the peaceful, law-abiding members of the Nation of Islam.

271. This partnership to address the "feeders of antisemitism" will lead to the harassment, economic reprisals, and possible threats of bodily harm to its members because the ADL has relentlessly labeled the Nation of Islam an "anti-Semitic" group.

272. The Defendant ADL's coordination with the law enforcement department of the City of New York creates a present and real risk of harm, and unlawful intrusion and surveillance at the hands of law enforcement, in the City's stated rationale to combat "antisemitism."

273. Defendant ADL, at all relevant times, acting under of color of law through its delegation, research, and investigative authority with the City of New York:

- a. places the New York Nation of Islam members in direct harm of the deprivation of its First Amendment Right to Free Exercise of Religion,
- b. exposes these same members to the risk of harm, and unlawful intrusion and surveillance at the hands of law enforcement, and
- c. exposes these same members to the risk of harm, which serves to chill the free exercise of their faith, at the hands of law enforcement, in violation to the Free Exercise Clause of the First Amendment to the United States Constitution.

Wherefore, Nation of Islam respectfully requests that this Court find the Defendant ADL's actions constituted a violation of 42 U.S.C. §1983, and grant it the appropriate relief.

COUNT 5

FIRST AMENDMENT – FREEDOM OF ASSOCIATION - §1983

NATION OF ISLAM V. ADL

274. Plaintiff realleges and incorporates by reference, paragraphs 20-210, as though fully set forth herein.

275. The First Amendment applies to state and local governments, including these defendants, by virtue of the Fourteenth Amendment under the “incorporation doctrine.” *Cantwell v. Connecticut*, 310 U.S. 296, 303 (1940).

276. 42 U.S.C. §1983 creates a private right of action against any person who, under color of state law, deprives another of “rights, privileges, or immunities secured by the Constitution.”

277. Upon information and belief, Defendant ADL, in conjunction with New York law enforcement officials have engaged in activity that infringes upon the Nation of Islam's 1st Amendment right to freedom of association and, thereby, violated 42 U.S.C. §1983.

278. To this end, on November 21, 2022, during a press conference on the city of New York, and in a response to a question regarding New York's efforts to combat "antisemitism," Mayor Eric Adams said:

"[Dealing] with specifically antisemitism is not just a law enforcement issue. We need to stop the feeders of antisemitism. That is why we've partnered with the ADL and other organizations, the Anti-Defamation League and other organizations to say, "How do we create environments where hate cannot grow in our cities?" We're doing it in the Department of Education, we're doing it in collaborations with some of the organizations that are mentioned here with partnership — Rabbi, the Board of Rabbis, Rabbis Potasnik and others. We know we have to stop the feeder of hate in our cities, in all the different groups in this city. And then we must have a real law enforcement response. The commissioner immediately put new leadership over at the Hate Crime Unit because we wanted to be clear that if there are those who are using hate to target people in the city, we want those cases investigated, we want the people apprehended, and we want to make sure that they're prosecuted to the full extent of the law. (Exhibit "HHH")

279. Since Defendant ADL has labeled the Nation of Islam as a body of "anti-Semitic" people, it is axiomatic to say that the Nation of Islam is a target of the city of New York's "partnership with the ADL" for law enforcement purposes.

280. The City of New York's partnership with the ADL will serve to hinder the free association with the peaceful, law-abiding members of the Nation of Islam because said false labeling of the Nation of Islam as "anti-Semitic" has a real and immediate chilling effect on anyone desiring to attend mosque meetings or to otherwise associate with individual members of the Nation of Islam.

281. This partnership to address the “feeders of antisemitism” will lead to the harassment, economic reprisals, and possible threats of bodily harm to its members because the ADL has relentlessly labeled the Nation of Islam an “anti-Semitic” group.

282. The Defendant ADL’s coordination with the law enforcement department of the City of New York creates a present and real risk of harm, and unlawful intrusion and surveillance at the hands of law enforcement, in the City’s stated rationale to combat “antisemitism.”

283. Defendant ADL, at all relevant times, acting under of color of law through its delegation, research, and investigative authority with the City of New York:

- a. places the New York Nation of Islam members in direct harm of the deprivation of its First Amendment Right to freedom of association,
- b. exposes these same members to the risk of harm, and unlawful intrusion and surveillance at the hands of law enforcement, and
- c. exposes these same members to the risk of harm, which serves to chill the freedom of association, at the hands of law enforcement in Violation of the 1st Amendment.

Wherefore, Nation of Islam respectfully requests that this Court find the Defendant ADL’s actions constituted a violation of 42 U.S.C. §1983, and grant it the appropriate relief.

COUNT 6

DEFAMATION *PER SE* (TRADE/BUSINESS/MISSION/CALLING)

FARRAKHAN V. ADL

284. Plaintiff realleges and incorporates by reference, paragraphs 20-210, as though fully set forth herein.

285. The elements of a cause of action sounding in defamation *per se* are: 1) a defamatory of fact concerning the plaintiff, 2) publication to a third party, 3) fault (either negligence or

actual malice depending on the status of the defamed person, 4) falsity of the defamatory statement, and 5) *per se* actionability.

286. One useful general rule is that a defamatory statement which tends to disparage a person in the way of his office, profession, or trade is defamatory *per se* and does not require proof of special damages. *Lieberman v. Gelstein*, 80 NY2d 429 (1992).

287. As previously noted, on or about October 20, 2022, on its official website, Defendant ADL published an article entitled, “Extremists Are Praising Kanye West’s Antisemitism, Parlor Acquisition,” wherein it falsely labeled Minister Farrakhan as “virulently antisemitic.” (Exhibit “III”)

288. Additionally, on or about February 27, 2023, on that same website, Defendant ADL published an article entitled, “Farrakhan Predicts Another Holocaust, Espouses Antisemitism and Bigotry in Saviours’ Day Speech,” wherein it said of Minister Farrakhan and the Nation of Islam, in part, “Farrakhan directly addressed the NOI’s long history of antisemitism in his speech on Sunday, demonstrating his obsession with Jews and affirming the NOI’s position as a leading promoter of antisemitism in America today.” (Exhibit “JJJ”)

289. Defendant ADL used the false label “virulently anti-Semitic” in referring to Minister Farrakhan, and referring to him as “a leading promoter of antisemitism.”

290. Said mischaracterizations are exacerbated by Defendant ADL’s history of repeatedly mischaracterizing and falsely labeling Minister Farrakhan in the same or substantially similar defamatory manner.

291. Upon information and belief, Defendant ADL monitors practically every word Minister Farrakhan speaks, therefore, it knew or should have known that Minister Farrakhan does

not deny the legitimacy of Judaism because, in its monitoring, it would have heard Minister “Farrakhan: In His Own Words” make public statements that express admiration and respect for Judaism and its legitimacy right alongside Islam and Christianity, as one of the “three great revealed religions.”

292. Thus, Defendant ADL made such defamatory statements with actual malice and with knowledge of their falsity and/or with a reckless disregard for their falsity.

293. Defendant ADL knowingly, willfully, and intentionally published said false statements to the world on its official website without privilege or authorization.

294. Defendant ADL maliciously spewed these false statements for the purpose of generating hatred, contempt, aversion, and to induce an evil and unsavory opinion of Minister Farrakhan in the minds of a substantial number of people.

295. Minister Farrakhan publicly acknowledged that fact when, during a CNN Interview with Don Lemon on May 7, 2007, he said:

“I’ve never been an anti-Semite from the depth of my heart. I know that I’ve never hated the Jewish people. And for me to hate a Jewish person because of their faith tradition would make me less than a Muslim, less than a righteous person, and would make me a bigot, and a wicked person.”

296. Thus, every time Defendant ADL falsely labeled, and continues to falsely label, Minister Farrakhan as an “anti-Semite,” it has the effect of causing countless people to look at Minister Farrakhan with opprobrium and as “less than a Muslim[.]”

297. These statements have injured The Honorable Minister Louis Farrakhan in his status as a Minister and Anointed Servant of Allah (God), because they have caused people, organizations, and/or institutions to shun, disinvite, and falsely disparage him.

298. The defamatory *per se* statements of falsely charging Minister Louis Farrakhan with “Anti-Semitism” and being an “Anti-Semite,” most importantly hinders his full ability to

“deliver the message” of Allah (God), that he is commissioned and commanded to deliver to his people and all members of humanity.

299. The Honorable Minister Louis Farrakhan has suffered, and continues to suffer, from loss of standing in certain communities, loss of public esteem, and public disparagement, as a result of these defamatory statements, as well as hindering his full ability to “deliver the message” of Allah (God), that he is commissioned and commanded to deliver to his people and all members of humanity.

300. Said false statement by the Defendant ADL was uttered with malice and constituted defamation *per se* because Minister Farrakhan is a world renown religious leader with a Mission and calling to represent the faith of Islam, in general, and the Most Honorable Elijah Muhammad and His Teachings, in particular, and to be labeled as one who denigrates the faith of another human being simply because of his or her faith, instantly damages his 68-year standing as a religious / faith leader.

301. Being falsely called an “anti-Semite” is incompatible with his calling as a Man of Faith.

Wherefore, Minister Farrakhan respectfully requests this Court find that the Defendant ADL’s false statements constituted defamation *per se* and grant him the appropriate relief.

COUNT 7

DEFAMATION *PER SE* (TRADE/BUSINESS/MISSION/CALLING)

FARRAKHAN V. GREENBLATT

302. Minister Farrakhan realleges and incorporates by reference, paragraphs 20-210, as though fully set forth herein.

303. On February 9, 2023, Defendant Greenblatt published on the ADL's official website a letter he sent to the CEO of Ticketmaster, Michael Rapino, defaming Minister Farrakhan and the Nation of Islam. (Exhibit "EEE")

304. Referring to the Nation of Islam's annual religious observance, Defendant Greenblatt said, in part, "The event is set to be held at the Wintrust Arena in Chicago and headlined by Louis Farrakhan, the Nation of Islam's longtime leader and one of the most notorious antisemites in the country. It is important to note that the Nation of Islam's annual Saviours' Day event regularly serves as a platform to amplify this hate and bigotry...." *Id.*

305. Upon information and belief, Defendant Greenblatt either monitors and/or receives reports on practically every word Minister Farrakhan speaks, therefore, he knew, or should have known, that Minister Farrakhan does not deny the legitimacy of Judaism because in its monitoring, it would have heard Minister "Farrakhan: In His Own Words" make public statements that express admiration and respect for Judaism and its legitimacy right alongside his admiration and respect for Islam and Christianity as one of the "three great revealed religions."

306. Thus, Defendant Greenblatt made such defamatory statements with actual malice and with knowledge of their falsity and/or with a reckless disregard for their falsity.

307. Defendant Greenblatt spewed these false statements for the purpose of generating hatred, contempt, aversion, and to induce an evil and unsavory opinion of Minister Farrakhan in the minds of a substantial number of people.

308. Defendant Greenblatt knowingly, willfully, and intentionally published said false statements to the world on the ADL's official website without privilege or authorization.

309. Said false statement by Defendant Greenblatt uttered with malice constituted defamation *per se* because Minister Farrakhan is a world renown religious leader with a mission and calling to represent the faith of Islam, in general, and the Most Honorable Elijah Muhammad and His Teachings, in particular, and to be falsely labeled as one who denigrates the faith of another human being simply because of his or her faith, instantly damages his 68-year standing as a religious / faith leader.

310. Being falsely called an antisemite is incompatible with his calling as a man of Faith.

Wherefore, Minister Farrakhan respectfully requests that this Court find that Defendant Greenblatt's statements constituted defamation *per se* and grant him the appropriate relief.

COUNT 8

DEFAMATION *PER SE* (TRADE/BUSINESS/MISSION/CALLING)

FARRAKHAN V. SWC

311. Minister Farrakhan realleges and incorporates by reference paragraphs 20-210, as though fully set forth herein.

312. On March 1, 2023, Defendant SWC published on its official website an article, "SWC: Farrakhan's Annual Savior's [Sic] Day Anti-Jewish Tirades Continue As Does Silence of Political and Faith Leaders." (Exhibit "TT")

313. In said article, Defendant SWC admitted in the same March 1, 2023, online article that it has "tracked...[Minister] Farrakhan and his trail of Jew hatred and anti-Semitic incitement for four decades." (*Id.*)

314. Therefore, Defendant SWC, in tracking Minister Farrakhan "for four decades" knew, or should have known, that Minister Farrakhan does not deny the legitimacy of Judaism because in its monitoring, it would have heard Minister Farrakhan make public statements

that express admiration and respect for Judaism and its legitimacy with Islam and Christianity as one of the “three great revealed religions.”

315. Thus, Defendant SWC made such defamatory statements with actual malice and with knowledge of their falsity and/or with a reckless disregard for their falsity.

316. Defendant SWC spewed the false statements with actual malice for the purpose of generating hatred, contempt, aversion, and to induce an evil and unsavory opinion of Minister Farrakhan in the minds of a substantial number of people.

317. Defendant SWC knowingly, willfully, and intentionally published said false statements to the world on its official website without privilege or authorization.

318. Being falsely called an “anti-Semite” is incompatible with his calling as a Man of Faith.

Wherefore, Minister Farrakhan respectfully requests that this Court find that Defendant SWC’s statements constituted defamation *per se* and grant him the appropriate relief.

COUNT 9

DEFAMATION *PER SE* (TRADE/BUSINESS/MISSION/CALLING)

FARRAKHAN V. COOPER

319. Minister Farrakhan realleges and incorporates by reference, paragraphs 20-210, as though fully set forth herein.

320. As previously noted, on March 1, 2023, Abraham Cooper made false and defamatory statements about Minister Farrakhan when he said, “We have tracked and denounced Farrakhan and his trail of Jew-hatred and anti-Semitic incitement for four decades.” (Exhibit “FFF”)

321. Said mischaracterization is exacerbated by Defendant Cooper's history of repeatedly mischaracterizing and falsely labeling Minister Farrakhan in the same or substantially similar defamatory manner.
322. Upon information and belief, Defendant Cooper either monitors, or receives reports on, practically every word Minister Farrakhan speaks, therefore, he knew, or should have known, that Minister Farrakhan does not deny the legitimacy of Judaism because in his monitoring, he would have heard Minister Farrakhan make public statements that express admiration and respect for Judaism and its legitimacy right alongside Islam and Christianity as one of the "three great revealed religions."
323. Thus, Defendant Cooper made such defamatory statements with actual malice and with knowledge of their falsity and/or with a reckless disregard for their falsity.
324. Defendant Cooper spewed these false statements for the purpose of generating hatred, contempt, aversion, and to induce an evil and unsavory opinion of Minister Farrakhan in the minds of a substantial number of people.
325. Defendant Cooper knowingly, willfully, and intentionally published said false statements to the world on the SWC's official website without privilege or authorization.
326. Said false statement by Defendant Cooper constituted defamation *per se* because Minister Farrakhan is a world renown religious leader with a mission and calling to represent the faith of Islam, in general, and the Most Honorable Elijah Muhammad and His Teachings, in particular, and to be labeled as one who denigrates the faith of another human being simply because of his or her faith, instantly damages his 68-year standing as a religious / faith leader.
327. Being falsely called an antisemite is incompatible with his calling as a man of Faith.

Wherefore, Minister Farrakhan respectfully requests that this Court find that Defendant Abraham Cooper's statements constituted defamation *per se* and grant him the appropriate relief.

COUNT 10

DE FACTO DEFAMATION *PER SE*

FARRAKHAN V. ALL DEFENDANTS

328. Minister Farrakhan realleges and incorporates by reference paragraphs 20-210, as though fully set forth herein.

329. Under New York law, there are four categories of statements as defamation *per se*: 1) those that accuse the plaintiff of a serious crime; 2) those that 'tend to injure another in his or her trade, business or profession, 3) those that accuse the plaintiff of having a loathsome disease, or 4) and those that impute unchastity to a woman. (*Lieberman*, 80 N.Y.2d 435)

330. De facto defamation *per se* is not limited to these four categories.

331. Whether a statement is defamatory *per se* depends upon, among other factors, the temper of the times, or the current of contemporary public opinion, with the understanding that words, harmless in one era may be highly damaging to reputation at another time or in a different place.

332. Whether a statement is defamatory *per se*, can evolve from one generation to the next.

333. In today's times, the false labeling of "anti-Semite," and/or any of its variations and/or derivatives, is a statement that is so odious and damaging that sometimes seismic social and economic consequences immediately follow after someone, or some organization such as Defendants ADL and SWC, attaches that label to someone, whether it was applied appropriately or not.

334. For instance:

- a. Kyrie Irving, a star basketball player, suffered socially and economically simply for reposting a link to a documentary the Defendant ADL determined to be “anti-Semitic,” (Exhibit KKK)
- b. DeSean Jackson, a star football player, suffered socially and economically simply for posting a favorable statement about Minister Farrakhan, (Exhibit CC)
- c. Dwight Howard, a retired star basketball player, suffered socially and economically simply for posting a statement in support of the Palestinians, (Exhibit LL) and
- d. Marc Lamont Hill, a former CNN political commentator, was fired from CNN simply for making statements in support of the Palestinians. (Exhibit MMM)

335. No one on this list said a negative word about Jews or Judaism.

336. Their “high crime or misdemeanor” was to say something the Defendants did not like or that did not comport with their self-interests.

337. Since the terms “anti-Semite,” “anti-Semitic,” and “antisemitism” engenders the same degree of shame, obloquy, contumely, opprobrium, odium, contempt, ridicule, aversion, ostracism, degradation or disgrace as statements accusing someone of serious criminal conduct, impugning a person in his or her trade or profession, implying that a person has a “loathsome disease,” or imputing unchastity to a woman, then the false use of that term should be declared as the 5th category of de facto defamation *per se*.

338. The swift retribution that results from being falsely labeled “anti-Semitic” is on par with, if not greater than, being falsely accused of one of the four categories that currently constitute de facto defamation *per se* under New York caselaw.

339. The defamatory statements of the Defendants labeling Minister Farrakhan falsely as a (1) “virulent antisemite,” (2) “antisemite,” and (3) “hater of Jews” clearly exposes him to “hatred, contempt or aversion, or [so clearly] induce an evil or unsavory opinion of him in the minds of a substantial number of the community” that serious injury to his reputation can be presumed.

340. The social backlash and punitive economic sanctions that accompanies this label when it is ascribed to a person or group has gotten progressively worse such that the use of the word as a false label is defamation *per se*.

Wherefore, Minister Farrakhan respectfully requests this Court find the Defendant ADL’s statements constituted Defamation *per se* and grant him the appropriate relief.

COUNT 11

DECLARATORY JUDGMENT

THE ADL IS A QUASI-GOVERNMENTAL AGENCY

341. Minister Farrakhan restates and incorporates by reference paragraphs 20-210, as though fully stated herein.

342. The U.S. Supreme Court has identified multiple tests that determine whether a private corporation acted under color of federal law such as the “direct links” test, *Lebron v. Nat’l Railroad Passenger*, 513 U.S. 374, 397-400 (1995), the “public function” test, *Rendell-Baker v. Kohn*, 457 U.S. 830, 842 (1982), the “nexus” test, *Jackson v. Metropolitan Edison Co.*, 419 U.S. 345, 351 (1974), and the “symbiotic relationship” test, *Burton v. Wilmington Park Authority*, 365 U.S. 715 (1961).

343. Based on “The ADL: In Its Own Words,” the Defendant ADL’s actions satisfy each of these tests such that it is, indeed and in fact, a quasi-governmental agency of the federal government of the United States of America.

344. As previously noted herein, on or about December 20, 2022, the Defendant ADL submitted a demand letter directly to the Office of Management and Budget (hereinafter, “OMB”) for funds it desired to be redirected from programs and services that benefit the average American citizen to its own coffers to be used as it sees fit. (Exhibit DD & DD-1)

345. Extraordinarily, that same demand letter brazenly commanded the OMB to allocate funds to other agencies and departments of the U.S. government that it, and/or its functionaries, would directly benefit from.

346. Specifically, the demand letter, in the specious and spurious name of “combating antisemitism,” commanded the OMB to allocate the following funds to the following agencies and/or departments:

- a. \$1,202,000,000.00 to itself,
- b. \$288,400,000.00 to other existing agencies, and
- c. \$27,500,000.00 for new initiatives. (Id)

347. The total about Defendant ADL secured from the government was \$1,517,900,000.00.

348. Based upon the regulations of the U.S. government, Defendant ADL’s fiscal appropriations demand made directly to the OMB incontrovertibly establishes it as a quasi-governmental agency.

349. In support of said statement, the U.S. government has rules and regulations governing the request of funds made directly to the OMB.

350. Specifically, according to the U.S. government, only “governmental agencies” can make requests of funds directly to the OMB.

351. With respect to the funding process, on USA.gov, the U.S. government states the following with respect to the standard and customary process for requesting and receiving funds through the OMB:

The budget planning begins a year before the budget is to go into effect.

1. Federal agencies create budget requests and submit them to the White House Office of Management and Budget (OMB).
2. OMB refers to the agencies’ requests as it develops the budget proposal for the president.
3. The president submits the budget proposal to congress early the next year.
4. Proposed funding is divided among 12 subcommittees, which hold hearings. Each is responsible for funding for different government functions such as defense spending or energy and water.
5. The House and Senate create their own budge resolutions, which must be negotiated and merged. Both houses must pass a single version of each funding bill.
6. Congress sends the approved funding bills to the president to sign or veto.
(Emphasis added.)

352. Since only “federal agencies” can make requests for funds directly through the OMB, and since the Defendant ADL, on December 20, 2022, made a demand of \$1.5 billion directly through the OMB, then Defendant ADL’s actions reasonably and objectively subjected itself to the classification as a quasi-governmental agency.

353. Moreover, the Defendant ADL's letter to the OMB is classified as a "demand letter," not simply because it demanded funds through the OMB that were approved, but because, somehow, Defendant ADL was able to exercise power and control over the OMB in that it directed the OMB to allocate funds to other agencies and departments for the alleged purpose of "combating antisemitism."

354. That audacious demand by the Defendant ADL establishes, on the most rudimentary level, that it not only had the nerve, but it had the capacity, capability, and confidence to direct the U.S. government on how it should spend the precious and dwindling financial resources of the American taxpayers for its own interests.

355. Candidly, exercising that much power, control, and influence over the U.S. government takes the Defendant ADL well beyond the classification of "quasi-governmental," and, in actuality, makes it the proverbial "Pied Piper" that calls the tune that, apparently, the U.S. federal government must dance to...or else.

Wherefore, Minister Farrakhan respectfully requests that this Court declare the ADL to be a quasi-governmental agency of the U.S. government.

REQUEST FOR RELIEF

WHEREFORE, Minister Farrakhan and the Nation of Islam respectfully request that this Court enter judgment against Defendants ADL, Johnathan Greenblatt, SWC, and Abraham Cooper, and:

- A. Award damages, punitive and otherwise, in the amount of \$4.8 billion resulting from the Defendants':
 - i. violation of Minister Farrakhan and the Nation of Islam's First Amendment rights pursuant to the U.S. Constitution,

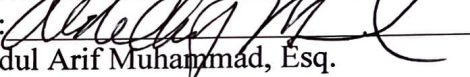
- ii. violation of Minister Farrakhan and the Nation of Islam's First Amendment rights pursuant to 42 U.S.C. §1983,
 - iii. malicious defamation of Minister Farrakhan and the Nation of Islam,
- B. Declare that the false use of the term "anti-Semite," and all of its variations and/or derivatives, constitute de facto defamation *per se*,
- C. Declare that the Defendant ADL is, at a minimum, a quasi-governmental actor, and
- D. Grant Plaintiffs damages any additional relief the Court finds appropriate.

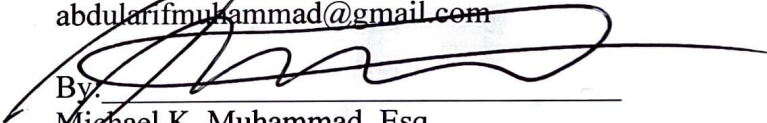
Minister Farrakhan and the Nation of Islam demand a trial by jury.


Dated: October 16, 2023

Respectfully submitted,

ATTORNEYS FOR MINISTER LOUIS FARRAKHAN AND THE NATION OF ISLAM

By: 
Abdul Arif Muhammad, Esq.
Pennsylvania Bar No. 47898
Pro Hac Vice Application Forthcoming
7351 South Stony Island Avenue
Chicago, Illinois 60649
(215) 313-0738 (Phone)
abdularifmuhammad@gmail.com

By: 
Michael K. Muhammad, Esq.
State Bar No. 00787157
Pro Hac Vice Application Forthcoming
1700 Pacific Avenue
Suite 3740
Dallas, Texas 75201
(214) 432-6285 (Phone)
Michael@muhammadlawfirm.com

By: 
Sa'ad Alim Muhammad, Esq.
State Bar No. 6244757
Pro Hac Vice Application Forthcoming
1525 E. 53rd Street, Suite 447
Chicago, Illinois 60615
(312) 263-5989 (Phone)
SAM@PowerandDixon.com